

2017 ANNUAL REPORT – DEPARTMENT OF PLANNING

1. Introduction

The Department of Planning provides professional planning, code enforcement, project management, and technical services to support Clarke County's planning and land use objectives as well as special projects that are assigned by the Board of Supervisors. Staffing consists of four full-time employees (Director, Senior Planner/Zoning Administrator, Natural Resources Planner, and Administrative Assistant). A full-time Code Enforcement Officer-Inspector position was created and filled in 2016 and is shared with the Building Department. Approximately 20% of this position's workload is currently provided to the Planning Department to assist with zoning enforcement matters.

Department Functions and Responsibilities

General Responsibilities

- Ordinance enforcement (Zoning, Subdivision, and various County Code provisions such as the Septic and Well Ordinance)
- Provide day to day customer service to citizens, appointed and elected officials, developers, and other stakeholders
- Process, present, and make recommendations on zoning map amendments (rezonings) and special use permits
- Draft, present, and make recommendations on text amendments to the Zoning, Subdivision, and other County ordinances
- Long-range planning activities including management of the County's Comprehensive Plan and implementing component plans
- Review and process subdivision plats and boundary line adjustments
- Administer the review of erosion and sediment control and stormwater management plans in conjunction with the Building Department
- Zoning review of County building permits
- Zoning review of County business licenses
- Conduct commercial site plan reviews
- Apply for and manage grants to support County projects
- Provide planning and zoning technical assistance to the Town of Boyce
- Provide support to the County's geographic information system (GIS) program and staff
- Administrative functions including managing the Department website and developing/presenting the Department's annual report to the Board of Supervisors

Project-Specific Responsibilities

- Natural resource planning activities including water resource protection and water quality improvement projects
- Manage continuing activities to support the Spout Run TMDL implementation plan
- Manage the County's conservation easement program
- Maintain the County's database of dwelling unit rights (DURs)
- Manage the County's historic preservation program
- Manage the County's recycling program
- Oversee the County's energy management program

- Oversee the County's biosolids monitoring program
- Manage the County's broadband implementation and outreach program
- Staff support to numerous boards and committees including:
 - Planning Commission and Standing Committees/Special Subcommittees
 - Board of Zoning Appeals
 - Board of Septic and Well Appeals
 - Historic Preservation Commission
 - Conservation Easement Authority
 - Berryville Area Development Authority
 - Broadband Implementation Committee
 - Other special committees designated by the Board of Supervisors
- Represent the County on various regional committees through the Northern Shenandoah Valley Regional Commission
- Coordinate/manage projects community development projects and other special projects as assigned by the County Administrator or Board of Supervisors

Departmental Goals

1. Deliver professional-level technical guidance in the following subject areas:
 - a. Land use planning
 - b. Zoning and subdivision ordinance development and application
 - c. Environmental and natural resource planning
 - d. Land and resource conservation
 - e. Historic preservation
 - f. Energy management
 - g. Transportation
 - h. State legislative items
 - i. Capital outlay planning
2. Conduct effective enforcement of County ordinances
3. Provide quality customer service across numerous platforms
4. Maximize finite County resources

2. Summary of Activities

Detailed descriptions of these and other projects undertaken by the Department, along with a summary of the land use requests processed by the Department in 2017, are included below.

A. Special Use Permits

Three new special use permit applications were filed and approved in 2017.

- **SUP-17-01, Hecate Energy Clarke County LLC and Hecate Energy LLC.**
Request amendment of special use permit (SUP) SUP-16-01, approved by the Board of Supervisors on June 21, 2016, to construct a 20MW solar power plant, large photovoltaic. The purpose of the request is to divide the SUP into two separate permits (SUP-17-01 and SUP-17-02) to allow for separate ownership and development of “Phase 1” and “Phase 2” of the facility as depicted on the approved site development plan (SP-16-01 as amended). The subject property is zoned Agricultural-Open Space-Conservation (AOC) District, identified as Tax Map #27-A-5, and is located on the north side of Lord Fairfax Highway (U.S. 340) with frontage on the west side of Gun Barrel Road (Rt. 644), north side of Double Tollgate Road (Rt. 670), north side of Highland Corners Road (Rt. 669), and east side of Stonewall Jackson Highway (U.S. 522) in the White Post Election District. This application was approved by the Board of Supervisors on July 18, 2017.
- **SUP-17-02, Hecate Energy LLC.**
See above SUP-17-01
- **SUP-17-03, Clarke County Citizen Convenience Center**
Request approval of a Special Use Permit (SUP) and Site Development Plan for Public Utility Uses and Structures per §3-A-1-a-3-p of the Zoning Ordinance. The purpose is to construct a County-operated citizens' convenience center for drop-off of household waste and recycling to be located on a 2 acre portion of a 149 acre property. The property is zoned Agricultural-Open Space-Conservation (AOC) District and is identified as Tax Map #16-A-33. The proposed use would be located on the west side of Quarry Road (Rt. 612) approximately 500 feet south of its intersection with Harry Byrd Highway (Rt. 7) in the Buckmarsh Election District. This application was approved by the Board of Supervisors on October 17, 2017.

B. Text Amendments

Three text amendments involving changes to the Zoning Ordinance were processed by the Department in 2017. Full text of each amendment is included in Appendix B:

- **TA-17-01, Agricultural Business Uses**
Proposed text amendment to amend §3-A-1 (Agricultural-Open Space-Conservation District – AOC), §3-A-2 (Forestal-Open Space-Conservation District – FOC), §3-A-3 (Rural Residential District – RR), §3-A-12 (Neighborhood Commercial District – CN), §3-A-13 (Highway Commercial District – CH), §3-C (Supplementary Regulations), and Article 9 (Definitions) of the Zoning Ordinance.

- Add “farm machinery sales and service” and “farm supplies sales” as permitted and special uses in the AOC District based on floor area limitations along with new supplementary regulations and definitions for each use. Amend definition of “agriculture” to more accurately reflect the County’s agricultural industry and to include “horticulture.”
- Delete definition of “horticulture” and permitted uses in the AOC, FOC, and RR Districts.
- Add “The wholesale or retail sale of agricultural products, grown or processed in conjunction with an agricultural operation, that is clearly accessory and incidental to that agricultural operation” as a new accessory use in the AOC and FOC Districts.
- Delete definition and supplementary regulations for “Processing of agricultural products not totally produced in Clarke County (excluding wineries, breweries, cideries, and distilleries)” and special uses in the AOC and FOC Districts.
- Delete “Nurseries, greenhouses (commercial)” as permitted uses in the CN and CH Districts.
- Add “Historic mill” as a new permitted use in the AOC and CN Districts along with a new definition and supplementary regulations.
- Additional changes are provided for clarity purposes.

This amendment was adopted by the Board of Supervisors on March 21, 2017.

- **TA-17-02, Wireless Communication Facilities**

Proposed text amendments to amend §3-A-1 (Agricultural-Open Space-Conservation District – AOC), §3-A-2 (Forestal-Open Space-Conservation District – FOC), §3-A-3 (Rural Residential District – RR), §3-A-12 (Neighborhood Commercial District – CN), §3-A-13 (Highway Commercial District – CH), §3-C-2-u (Monopoles for Telecommunication Antennae), §3-E-3 (Historic District), §3-E-4 (Historic Access Overlay District), §6-H-12 (Monopoles for Telecommunication Antennae), and Article 9 (Definitions) of the Zoning Ordinance. The purpose of the text amendments is to revise the requirements for the siting, construction, and modification of monopoles, towers, stealth structures, support structures, and associated equipment. This amendment was adopted by the Board of Supervisors on June 20, 2017.

- **TA-17-03, Off Street Parking Exemption for Certain Properties in Millwood**

Proposed text amendment to amend Zoning Ordinance §3-A-12, Neighborhood Commercial District (CN). The purpose is to add a new subsection (e) to exempt permitted uses on specific properties in Millwood that are zoned Neighborhood Commercial (CN) District and Historic (H) District from the off-street parking requirements in §4-J. The exemption is established to preserve the historic character of these properties that lack available lot area to provide conforming off-street parking. This amendment was adopted by the Board of Supervisors on October 17, 2017.

C. Site Plans

One site plan was approved by the Planning Commission in 2017.

- **SP-17-01, Clarke County Citizen Convenience Center**
SUP-Request approval of a Special Use Permit (SUP) and Site Development Plan for Public Utility Uses and Structures per §3-A-1-a-3-p of the Zoning Ordinance. The purpose is to construct a County-operated citizens' convenience center for drop-off of household waste and recycling to be located on a 2 acre portion of a 149 acre property. The property is zoned Agricultural-Open Space-Conservation (AOC) District and is identified as Tax Map #16-A-33. The proposed use would be located on the west side of Quarry Road (Rt. 612) approximately 500 feet south of its intersection with Harry Byrd Highway (Rt. 7) in the Buckmarsh Election District. This application was approved by the Board of Supervisors on October 17, 2017.

D. Administrative Site Plans

Three Administrative Site Plans were approved by the Zoning Administrator in 2017, one was withdrawn, and one was pending as of the end of the calendar year.

- **ASP-17-01, Clarke County Parks & Recreation**
Clarke County Parks & Recreation request administrative approval of a Site Plan Amendment to erect a 30' x 40' steelworx stretched hexagonal shelter with a vented top on the property identified as Tax Map 13-A-62 and located at 225 Al Smith Circle, in the Russell Election District and zoned Agricultural Open-Space Conservation (AOC). The Zoning Administrator approved this Administrative Site Plan on March 1, 2017.
- **ASP-17-02, Town of Berryville**
The Town of Berryville requests administrative approval of a Site Plan Amendment for the Town of Berryville Public Works Facility so as to shift the existing building to the north, increase size of the building and reduce the storage area on the property identified as Tax Map 14-A-6 and located at 201 Tom Whitacre Circle, in the Russell Election District and zoned Institutional (ITL). This Administrative Site Plan was withdrawn September 27, 2017
- **ASP-17-03, Blue Ridge Wildlife Center**
The Blue Ridge Wildlife Center requests administrative approval of a Site Plan Amendment for the Blue Ridge Wildlife Center Facility to add six animal habitat structures and a viewing deck on the property identified as Tax Map 31-A-3 and located at 106 Island Farm Lane, Boyce, VA, in the Millwood Election District and zoned Agricultural-OpenSpace-Conservation (AOC). The Zoning Administrator approved this Administrative Site Plan on August 29, 2017.
- **ASP-17-04 Juliet Mackay-Smith / Locke & Co., LLC - Pending**
Juliet Mackay-Smith for Locke & Co., LLC, requests an Administrative Site Plan for adding an outdoor restroom facility on the property identified as Tax Map #30A-A-57 at 2049 Millwood Road in the Millwood Election District, zoned Neighborhood Commercial (CN) and Historic (H). Review of this Administrative Site Plan was still pending as of the end of the calendar year.

E. Board of Zoning Appeals

Two applications were filed with the Board of Zoning Appeals in 2017.

- **BZA-17-01, Amelia D. Bailey, Trustee of the Amelia Denise Bailey Trust; Amelia D. Bailey, Executrix of the Estate of Frank S. Pierson, Jr.; and Amelia D Bailey and Joseph T. Bailey, wife and husband**, are appealing the Zoning Administrator's administrative determination dated June 20, 2017 that Clarke County Zoning Ordinance §3-D-9 would apply to the applicant's proposed Boundary Line Adjustment for the properties identified as Tax Map Parcels #25-A-29A & #25-A-27E located on River Road, Millwood Election District, zoned Forestal Open-Space Conservation (FOC). The Board of Zoning Appeals voted to uphold the decision of the Zoning Administrator on August 29, 2017.
- **BZA-17-02, Stonds, LC**
Stonds, LC requests approval of variances for a 23 foot variance from the 50 foot front yard setback requirement to the centerline of a secondary highway and for a variance to extend a non-conforming structure by 264 square feet for a proposed deck, on the property identified as Tax Map Parcel 23-A-18, located at 1555 Lockes Mill Road, Berryville, VA, zoned Agricultural Open-Space Conservation (AOC), partially in the Flood Plain District (FP), located in the Buckmarsh Election District. The Board of Zoning Appeals voted to approve this request on January 10, 2018.

F. Board of Septic Appeals

One application was filed with the Board of Septic Appeals in 2017.

- **BSA-17-01, Zoe and Andrew Brown**
Zoe and Andrew Brown are requesting a variance to the Clarke County Septic Ordinance so as to site a septic drainfield more than 400' from the house it serves on the property identified as Tax Map #12-A-42A located on Sunny Canyon Lane, White Post Election District, zoned Agricultural-Open Space-Conservation (AOC). The Board of Septic Appeals approved this request on June 26, 2017.

G. Town of Boyce Activities

In 2017, Staff continued to provide planning and zoning technical support to the Town of Boyce including day-to-day management of their zoning and subdivision ordinances and processing of permit applications. Special technical assistance was provided on two matters for the Town:

- **Review Draft Comprehensive Plan**. The Town's Planning Commission completed a project to review and update their Comprehensive Plan which was adopted by Town Council on October 3, 2017. Staff conducted a courtesy review of the draft document at the Planning Commission Chair's request and provided a detailed memo of comments and recommendations.
- **Boyce Crossing Stormwater and Erosion Control Plan**. Development of the Boyce Crossing Subdivision resumed in 2017 after being halted for several years following the economic downturn. Due to State regulatory changes during this time period, the

Virginia Department of Environmental Quality (DEQ) required the developer to submit revised stormwater and erosion control (E&S) plans to meet current regulations. Staff managed this review in its entirety for the Town, coordinating/processing reviews with DEQ and establishing a contractual arrangement with the County's engineering consultant (Hurt & Proffitt) to enable them to review the E&S plan. Both plans were ultimately approved in late fall.

H. Other Administrative Reviews

Planning Department Staff approved nine boundary line adjustment applications in 2017, one boundary line adjustment is pending. One administrative subdivision (divisions consisting of lots 100 acres or larger) was approved in 2017.

I. Special Projects

In addition to planning and zoning activities, several projects were undertaken by the Department during the year:

- Zoning and Subdivision Ordinance Update. In October, Planning Commission and Staff formally began work on a major project to review and update the County's Zoning and Subdivision Ordinances. The project involves an extensive cover-to-cover evaluation to clarify, coordinate, and modernize both Ordinances. The Planning Commission's Ordinances Committee was assigned the task of working with Staff to oversee and provide direction on the format and scope of the Ordinances, to identify solutions to policy and technical issues, and to recommend final drafts for presentation to the full Commission and ultimately the Board of Supervisors. The project is anticipated to take approximately two years to complete.

Tasks completed in 2017 include the adoption of a two-year work plan and a list of Project Policies that will help to control the scope of the project and ensure that there is clear policy direction from the Commission to Staff in drafting the revised ordinances. The Ordinances Committee began the review of policy items in December with a discussion of home occupation regulations.

- Historic Resources Plan Update. As part of the ongoing effort to review and update the County's Comprehensive Plan implementing component plans, work began in the spring on updating the Historic Resources Plan. Planning Staff and the County's architectural historian worked in concert with the Historic Preservation Commission to update goals and objectives as well as information on projects completed since the Plan's last update in 2007. A final draft of the revised Plan was nearing completion at the end of the calendar year.
- Water Resources Plan Update. Staff also began work in the spring to update the Water Resources Plan which is composed of both the Groundwater Resources and Surface Water Resources Plans. The Groundwater Resources Plan was last updated in 1998 and the Surface Water Resources Plan was last updated in 1999. The Plan is being revised by the natural resources planner and will be reviewed by the Planning Commission's Comprehensive Plan Committee prior to being finalized for presentation to the full Commission. A final draft was nearing completion at the end of the calendar year.

- Broadband. Staff worked extensively in 2017 on projects to help expand broadband internet and telecommunications availability. In the first half of the year, Staff worked with the Commission's telecommunications subcommittee on a text amendment (TA-17-02) to modernize the County's regulations on monopolies – now referred to as wireless communication facilities (WCFs). Staff also continued to assist the Board of Supervisors with implementation of the consultant's recommendations in the Broadband Infrastructure and Telecommunications Study. The Board established the Broadband Implementation Committee (consisting of two commissioners and two board members) and charged it with pursuing the Study's recommended strategies. Planning Staff was assigned to staff this Committee and worked to develop and issue a Request for Information (RFI) for industry providers to offer approaches to improve broadband service for residents and businesses. Staff also helped coordinate several meetings with the Committee and various industry providers following issuance of the RFI. Under the Committee's direction, Staff also worked with the IT Department to create the County's first broadband information website – clarkeconnect.org.

3. Building Permits

A. Residential Permits

A total of 53 permits to construct new single-family homes were issued in 2017. 33 were issued for parcels located outside of the towns and 20 permits were issued in the Town of Berryville. There were no permits issued for new family dwellings in the Town of Boyce.

Residential Building Permits Issued, 2000-2017

	County	Berryville	Boyce	TOTAL		County	Berryville	Boyce	TOTAL
2017	33	20	0	53					
2016	29	36	1	66	2004	81	45	4	130
2015	25	20	0	45	2003	72	53	2	127
2014	27	16	3	46	2002	78	49	2	129
2013	21	6	1	28	2001	86	50	2	138
2012	16	4	0	20	2000	68	33	0	101
2011	16	1	0	17					
2010	10	4	9	23					
2009	11	1	12	24					
2008	20	0	23	43					
2007	39	6	12	57					
2006	41	25	14	80					
2005	65	141	15	221					

B. Total Permits – Valuation

PERMIT TYPE DESC	PERMITS ISSUED	EST VALUE	FEE TOTAL
Commercial Building Addition	7	840,150	7,094
Commercial Building New	4	6,041,771	28,854
Commercial Building Remodel	14	4,057,585	19,864
Residential Accessory	21	1,160,960	9,348
Residential Building Addition	14	1,009,156	7,532
Residential Garage	10	517,343	4,925
Residential Building New	61	20,399,407	109,588
Residential Building Remodel	67	2,883,375	16,630
Deck or Porch w/o Roof	39	0	2,280
Deck/Porch with Roof	12	0	662
Commercial Re-Roof or Re-Side	1	0	61

4. Subdivisions

The table below lists the total number of new lots and acreage subdivided in the County and incorporated towns from 2000-2017. In 2017, five minor subdivisions were approved by the Planning Commission resulting in the creation of five additional lots. Figures for Berryville include only subdivisions approved in the annexation area covered by the Berryville Area Plan.

Year	Lots/Acres	County	Berryville	Boyce
		Total	Total	Total
2000	Lots	25	5	
	Acres	2125	72	
2001	Lots	72	3	6
	Acres	535	0	1
2002	Lots	40	100	3
	Acres	281	81	1
2003	Lots	34	70	43
	Acres	412	54	21
2004	Lots	30	71	5
	Acres	325	72	2
2005	Lots	31	99	71
	Acres	370	60	15
2006	Lots	36	10	1
	Acres	799	32	<1
2007	Lots	25	1	2
	Acres	179	2	2
2008	Lots	25	0	0
	Acres	708	0	0
2009	Lots	6	0	1
	Acres	2	0	<1
2010	Lots	5	0	0
	Acres	191	0	0
2011	Lots	8	0	0
	Acres	98	0	0

2012	Lots Acres	6 67	0 0	0 0
2013	Lots Acres	4 144	0 0	0 0
2014	Lots Acres	13 252	0 0	20 6
2015	Lots Acres	2 18.71	0 0	0 0
2016	Lots Acres	9 175.7681	0 0	0 0
2017	Lots Acres	5 9	0 0	0 0

DWELLING UNIT RIGHTS

Dwelling Unit Rights (DURs) Used and Remaining by Magisterial District

Magisterial District	DURs Allocated	DURs Remaining	% Remaining
Greenway	1587	966	60.9
Chapel	2018	1129	55.9
Battletown	1499	736	49.1
Longmarsh	1562	668	42.8
TOTAL	6666	3499	52.5

5. Conservation Easements

Conservation Easements Added/Dwelling Units Retired, 1974-2017

	VOF, OTHERS (acres)	COUNTY (acres)	DURs RETIRED			VOF, OTHERS (acres)	COUNTY (acres)	DURs RETIRED
1974	72	0	n/a		1997	336	0	n/a
1975	4	0	n/a		1998	485	0	n/a
1976	195	0	n/a		1999	951	0	n/a
1977	119	0	n/a		2000	1,453	0	n/a
1978	667	0	n/a		2001	764	0	n/a
1979	1,037	0	n/a		2002	1,180	0	n/a
1980	166	0	n/a		2003	133	145	3
1981	0	0	n/a		2004	957	35	1+13 lots in Boyce
1982	100	0	n/a		2005	943	314	5
1983	0	0	n/a		2006	425	579	18
1984	0	0	n/a		2007	285	1,261	45
1985	0	0	n/a		2008	0	250	12

1986	0	0	n/a		2009	230	484	13
1987	0	0	n/a		2010	0	473	21
1988	807	0	n/a		2011	210	582	18
1989	1,540	0	n/a		2012	0	709	26
1990	2,503	0	n/a		2013	1,120	612	15
1991	846	0	n/a		2014	65	404	15
1992	64	0	n/a		2015	17	33	5
1993	328	0	n/a		2016	0	1,262	30
1994	2	0	n/a		2017	0	308	14
1995	95	0	n/a		SUBTOTAL			
1996	42	0	n/a		TOTAL	18,140	7,381	254

Conservation Easement Purchase Summary, 2003-2017

YEAR	DUR'S TERMINATED	APPRAISED VALUE	DUR PURCHASE VALUE	OWNER SHARE	COUNTY SHARE	GRANT SHARE	GRANT SOURCE
2003	3	\$251,000	\$0	\$26,000	\$225,000	\$0	
2003	0	\$0	\$0	\$0	\$0	\$0	
2005	2	\$198,100	\$0	\$123,100	\$75,000	\$0	
2005	2	\$200,000	\$0	\$125,000	\$50,000	\$25,000	SRCDC
2006	3	\$578,400	\$0	\$445,133	\$133,267	\$0	
2006	3	\$736,950	\$0	\$166,575	\$114,075	\$228,150	VOF
2007	5	\$1,126,813	\$0	\$162,125	\$8,062	\$478,313	VLCF, VDACS, FRPP
2008	3	\$346,551	\$0	\$86,638	\$86,638	\$173,275	FRPP
2008	2	\$180,000	\$0	\$53,100	\$42,300	\$84,600	FRPP
2008	5	\$716,500	\$0	\$179,125	\$27,750	\$509,625	VLCF, VDACS, FRPP
2008	1	\$131,500	\$0	\$32,875	\$16,437	\$82,188	VDACS, FRPP
2010	1	\$0	\$25,000	\$0	\$12,500	\$12,500	VDACS
2010	2	\$0	\$80,000	\$0	\$40,000	\$40,000	VDACS
2010	1	\$0	\$28,000	\$0	\$14,000	\$14,000	VDACS
2010	6	\$0	\$240,000	\$0	\$120,000	\$120,000	VDACS
2010	5	\$0	\$140,000	\$0	\$70,000	\$70,000	VDACS
2010	2	\$0	\$80,000	\$0	\$40,000	\$40,000	VDACS
2010	2	\$0	\$60,800	\$0	\$30,400	\$30,400	VDACS
2010	1	\$0	\$30,400	\$0	\$15,200	\$15,200	VDACS
2011	2	\$240,500	\$0	\$60,125	\$30,063	\$150,312	VDACS, FRPP
2011	1	\$0	\$13,000	\$0	\$6,500	\$6,500	VDACS
2011	2	\$0	\$25,000	\$0	\$25,000	\$0	
2011	2	\$0	\$80,000	\$0	\$40,000	\$40,000	VDACS
2012	2	\$0	\$80,000	\$0	\$40,000	\$40,000	VDACS
2012	4	\$345,500	\$0	\$86,375	\$20,000	\$239,125	PEC, VDACS, FRPP
2013	4	\$30,300	\$0	\$125,000	\$27,500	\$347,500	EC, VLCF, VDACS, FRPP
2013	4	\$542,500	\$0	\$135,625	\$32,813	\$374,062	PEC, VLCF, VDACS, FRPP
2013	3	\$255,000	\$0	\$63,750	\$3,125	\$188,125	PEC, VLCF, VDACS, FRPP
2013	4	\$560,000	\$0	\$140,000	\$97,500	\$322,500	PEC, VLCF, VDACS
2014	3	\$0	\$69,600	\$0	\$34,800	\$34,800	VDACS
2014	2	\$173,500	\$0	\$43,375	\$2,718	\$128,468	PEC, VLCF, VDACS, FRPP
2014	3	\$194,500	\$0	\$48,625	\$687	\$145,187	VLCF, .VDACS, FRPP
2014	1	\$0	\$0	\$0	\$20,000	\$20,000	VDACS
2014	2	\$0	\$60,000	\$0	\$30,000	\$30,000	VDACS
2016	1	\$0	\$40,000	\$0	\$20,000	\$20,000	VDACS
2016	3	\$0	\$120,000	\$0	\$60,000	\$60,000	VDACS
2016	2	\$0	\$80,000	\$0	\$40,000	\$40,000	VDACS
2016	2	\$0	\$32,000	\$0	\$16,000	\$16,000	VDACS
2016	2	\$0	\$32,000	\$0	\$16,000	\$16,000	VDACS
2016	4	\$0	\$64,000	\$0	\$32,000	\$32,000	VDACS
2016	2	\$0	\$32,000	\$0	\$16,000	\$16,000	VDACS
2016	3	\$74,500	\$0	\$18,625	\$9,313	\$46,562	VDACS, ALE
2016	2	\$140,500	\$0	\$35,125	\$17,563	\$87,812	VDACS, ALE
2017	2		\$30,160	\$0	\$15,080	\$15,080	VDACS
			Total	\$2,156,296	\$1,773,291	\$4,339,284	
	111		% of Total	26.1	21.4	52.5	

* Represents County funds used to purchase conservation easements; program began in 2003
Note – No easement purchases were made in 2015.

Grant Sources

VDACS = Virginia Department of Agriculture and Consumer Services (State)

VLCF = Virginia Land Conservation Fund (State)

FRPP = Farm & Ranchland Protection Program (Federal)

SRCDC = Shenandoah Resource Conservation and Development Council (State)

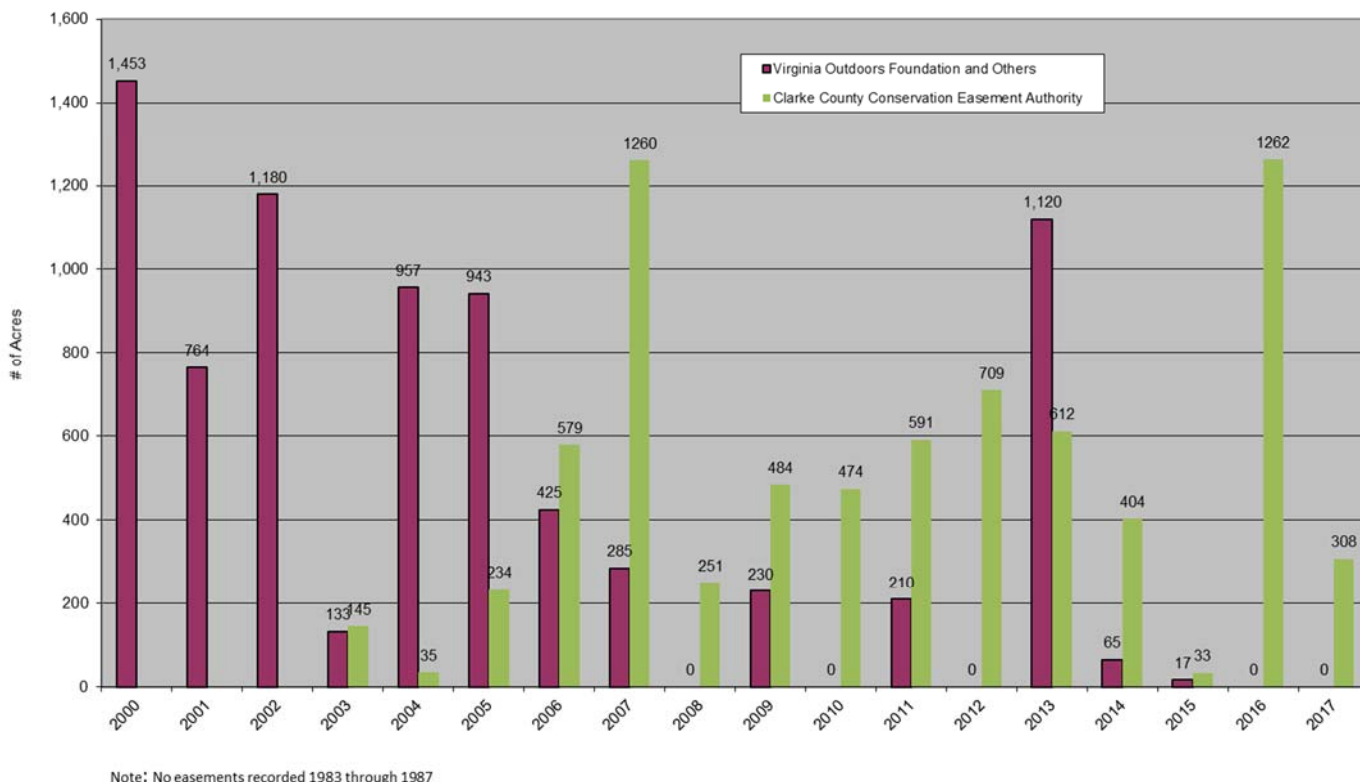
VOF = Virginia Outdoors Foundation (State)

PEC = Piedmont Environmental Council

The first conservation easement was recorded in 1974 by the Virginia Outdoors Foundation.

Between 1974 and 1999 10,359 acres were placed in easement. The chart below details the acreage of easements by year from 2000 through 2017.

Conservation Easements – Virginia Outdoors Foundation, Virginia Department of Historic Resources & Clarke County Conservation Easement Authority



Special projects

- Easement inspections program. Two part-time interns were employed during the Summer of 2017 to perform compliance inspections on all properties containing easements held by the Clarke County Easement Authority. The interns were paid through the Authority's stewardship fund and successfully completed onsite inspections and reports on approximately 90 properties. The Department expects this to be a reoccurring program and will maintain a database of inspection results.

6. Biosolids Applications

On July 15, 1997 the Board of Supervisors approved the adoption of a text amendment establishing standards for the land application of bio-solids.

Beginning in 1998, two companies, Bio Gro and Recyc Systems applied biosolids in the County. Currently Synagro (formally Bio-Gro) and Wright Trucking spread on area farms. The following table summarizes the acreages applied each year.

In 2004, State law repealed Counties ability to regulate biosolid application beyond testing and monitoring. The change permits Counties to request reimbursement for expenses relating to monitoring and testing but eliminates increased setback standards that Clarke County had adopted to protect ground and surface water resources in sensitive karst areas.

Beginning January 1, 2008 the Virginia Department of Environmental Quality (DEQ) assumed regulatory oversight of all land application of treated sewage sludge, commonly referred to as biosolids. This action, which moves oversight of the Biosolids Use Regulations from the Virginia Department of Health to DEQ, was at the direction of the 2007 General Assembly, which voted to consolidate the regulatory programs so that all persons land applying biosolids would be subject to uniform requirements, and to take advantage of the existing compliance and enforcement structure at DEQ.

Biosolids Applications

Year	Acres	# Farms
1998	180	2
1999	625	3
2000	0	0
2001	1830	11
2002	1145	11
2003	350	3
2004	150	4
2005	263	3
2006	950	9
2007	1,063	10
2008	1,307	13
2009	1,287	13
2010	1,989	21
2011	1,800	18
2012	1,539	18
2013	838	8
2014	1,784	23
2015	665	13
2016	61	1
2017	192	5
20 Year Total	18,018	

DEQ has established an Office of Land Application Programs within the Water Quality Division to manage the biosolids program, as well as land application of industrial sludges, septage, livestock and poultry waste, and water reclamation and reuse. The Virginia Department of Health will continue to consult with DEQ and advise the public on health issues related to biosolids applications.

All applications have been closely monitored by County and State representatives and have been in compliance with all requirements. In accordance with State Regulations, Counties may be reimbursed for the testing and monitoring expenses; in 2016 the County was reimbursed \$590.07. Land applications were way down due two factors; 1) Blue Plains was formerly the source of much of the biosolids applied in Clarke County. As a result of significant process changes, Blue Plains generates less than half the volume of material as in the past, and their supply is not going primarily to Clarke; and 2) Milton Wright was formerly a major land applier in Clarke, but that operation has seen significant cutbacks in activity. The Piscataway biosolids contract is now held by another land applier who does not operate in Clarke.

The total number of acres permitted for biosolids application in the County is 11,125, proportionately more biosolids than many other Counties in the area, averaging 18,000 wet tons per year. The

biosolids contain about 5-8 pounds of nitrogen per ton of biosolids. There is interest and concern about the effect of biosolids application on the quality of ground water in Clarke County. In order to address this concern, the County applied for and received 2 grants in 2013, totaling \$16,000 to monitor 10 springs in northern Shenandoah Valley for discharge, TN, TP, ammonia, ortho phosphate, nitrate-nitrite, E. coli, flow, general water chemistry. Springs are in located in karst areas.

Purpose is to identify contribution of contamination from springs to surface waters to assist in 1) determining appropriate BMP's on agricultural lands and 2) impact of biosolids applications on water quality as compared to other fertilizer sources. A report detailing the study is available from the Planning Department.

7. Historic Preservation Commission Activities

Four Certificates of Appropriateness were filed in 2017.

- **CA-17-01**

Phyllis Cullen requests a Certificate of Appropriateness for the following activities for the building located at 2037 Millwood Road:

1. Replacement of existing siding on front of building and elsewhere as needed with wood German lap siding;
2. Replacement of 2nd floor windows with same size as existing windows; 1 over 1 panes with center mullion to create the appearance of 2 over 2 windows;
3. Replace first floor window with same size as existing window; 2 over 2 wood frame window;
4. Enlarge the front door opening to allow for replacement of the existing door with a double door similar to the one at Lockes Store; or a single wood door with a top window. In either case door shall be wood;
5. Replace the existing porch in the same footprint. Reuse existing railing;
6. Paint the metal roof; and
7. Paint the building and trim using Benjamin Moore Historic Palette colors.

On March 24, 2017 the Executive Committee of the Historic Preservation Commission unanimously approved the above activities on the property located at 2037 Millwood Road.

- **CA-17-02, White Post Village Association** requests a Certificate of Appropriateness for renovating the existing 1920 gas station building located on the property identified as Tax Map #28A-A-36 at 217 White Post Road and the adjacent livery stable building located on the property identified as Tax Map# 28A-A-34 in the White Post Historic District, zoned Rural Residential (RR) and Historic Overlay (HO). The Historic Preservation Commission approved this request on May 17, 2017.
- **CA-17-03, Judy Duncan** requests a Certificate of Appropriateness for locating a sign on the property identified as Tax Map #30A-A-59 at 2037 Millwood Rd, in the Millwood Historic District, zoned Neighborhood Commercial (CN) and Historic Overlay (H). As no building permit was required the executive committee reviewed the design and approved the request on September 20, 2017.
- **CA-17-04, Juliet Mackay-Smith for Locke & Co., LLC**, requests a Certificate of Appropriateness for adding an outdoor restroom facility on the property identified as Tax Map #30A-A-57 at 2049 Millwood Road in the Millwood Election District, zoned Neighborhood Commercial (CN) and Historic (H). The Historic Preservation Commission approved this request on January 17, 2018.

APPENDIX A – Miscellaneous Activity Tables

Project Type	Project Number	Location	Owner	Fees Blank = collected by another dept	Project Status
Administrative Site Plan	ASP-17-01	225 AL SMITH CIR	BOARD OF SUPERVISORS	\$625.00	APPROVED
	ASP-17-02	201 TOM WHITACRE CIR	TOWN OF BERRYVILLE	\$625.00	PRE-APP MEETING HELD
	ASP-17-03	381 ISLAND FARM LN	BLUE RIDGE WILDLIFE CENTER	\$625.00	APPROVED
Administrative Subdivision	AS-16-02	772 STRINGTOWN RD	AUGGIE LIMITED PARTNERSHIP		PRE-APP MEETING HELD
Appeal: Brd of Septic & Well	BSA-17-01	831 SUNNY CANYON LN	BROWN ANDREW KEONE & ZOE BELLE	\$750.00	APPROVED
Appeal: Brd of Zoning Appeals	BZA-17-01	182 WORTHINGTON LN	BAILEY AMELIA D & JOSEPH T	\$750.00	APPROVED
Archive	ZPAC-563	538 CATHER RD	TREDWAY SCOTT O & JUDITH O		APPROVED
Boundary Line Adjustment	BLA-16-01	2611 SPRINGSBURY RD	CASEY BRYAN F & CYNTHIA L		APPROVED
	BLA-16-05	327 GREENSTONE LN	BELL KENNETH U	\$500.00	APPROVED
	BLA-17-01	0	KIRK CHRISTOPHER A	\$500.00	APPROVED
	BLA-17-02	1026 FISHPAW RD	MCNAMARA GERALDINE B	\$500.00	APPROVED
	BLA-17-03	2280 FROGTOWN RD	BROWN MICHAEL A & SUSAN HEALY	\$500.00	APPROVED
	BLA-17-04	765 ALLEN RD	MILLER MICHAEL G JR & LEIGH GARRY	\$500.00	PRE-APP MEETING HELD
	BLA-17-05	7596 LORD FAIRFAX HWY	TAVENNER LARRY S & LINDA D	\$500.00	APPROVED

	BLA-17-06	1301 LOCKES MILL RD	BOWERMAN JANE M & DANIEL MORRISON	\$500.00	APPROVED
	BLA-17-07	2049 MILLWOOD RD	LOCKE AND COMPANY LLC	\$500.00	APPROVED
	BLA-17-08	1555 LOCKES MILL RD	STONDS LC	\$500.00	APPROVED
	BLA-17-09	1833 MILLWOOD RD	DUKE BOBBY E & NANCY B	\$500.00	APPROVED
	BLA-17-10	3340 CRUMS CHURCH RD	JACOBSON LEROY C & MAURETTA A	\$500.00	APPROVED
Cert Appropriateness Com/Ind	C0A1-17-03	2049 MILLWOOD RD	LOCKE AND COMPANY LLC	\$100.00	PRE-APP MEETING HELD
	CA-17-03	2037 MILLWOOD RD	PHYLIS NEE	\$100.00	APPROVED
	CA01-17-03	2049 MILLWOOD RD	LOCKE AND COMPANY LLC	\$100.00	APPROVED
	COA1-6167	2037 MILLWOOD RD	NEE PETER & PHYLLIS	\$100.00	APPROVED
Cert Apprprtnss AOC/FOC/RES/ NP	CA-17-02	217 BERRYS FERRY RD	STUART ELIZABETH ELSEA	\$50.00	APPROVED
Erosion & Sediment Contrl Plan	ESCP-8751	0	BOYCE CROSSING HOMEOWNERS ASSO INC	\$5,400.00	APPROVED
Major Subdivision: 3+ lots	S-17-01	0	MARKS MELANIE D	\$20,000.00	PRE-APP MEETING HELD
Maximum Lot Size Exception	MLSE-17-01	537 LONGMARSH RD	JC HARDESTY LLC	\$1,500.00	PRE-APP MEETING HELD
Minor Subdivision	MS-15-01	1026 FISHPAW RD	MCNAMARA GERALDINE B		PRE-APP MEETING HELD
	MS-17-01	2997 LORD FAIRFAX HWY	BIGGS CHARLES A & CYNTHIA L	\$4,000.00	APPROVED
	MS-17-02	318 POPE LN	POPE GARLAND IDEN & IVA I	\$4,000.00	APPROVED
	MS-17-03	272 VILLAGE LN	WELLS BARRY S	\$4,000.00	APPROVED
	MS-17-04	18979 BLUE RIDGE MTN RD	WILLIAM WAITE	\$4,000.00	APPROVED

	MS-17-05	537 LONGMARSH RD	JC HARDESTY LLC	\$4,000.00	APPROVED
Site Plan AOC/FOC/NP	SP-17-01	426 QUARRY RD	PERRY STUART M INC	\$2,750.00	PRE-APP MEETING HELD
Special Use Amnd Bus/Com/Ind	ASP1-17-04	2049 MILLWOOD RD	LOCKE AND COMPANY LLC	\$1,250.00	PRE-APP MEETING HELD
	ASP-17-04	2049 MILLWOOD RD	LOCKE AND COMPANY LLC	\$625.00	PRE-APP MEETING HELD
Special Use AOC/FOC	SUP-17-03	426 QUARRY RD	PERRY STUART M INC	\$825.00	PRE-APP MEETING HELD
	SUPA-17-01	120 HIGHLAND CORNERS RD	GIBSON MONTIE W JR & PEARL E	\$825.00	PRE-APP MEETING HELD
Variance: Board of Zoning	BZA-17-02	1555 LOCKES MILL RD	STONDS LC	\$750.00	APPROVED
Zoning Accessory Structure	ZP-2651	182 AUBURN RD	ORDWAY DOUGLAS W & IRENE DEFRANK		PRE-APP MEETING HELD
	ZP-5642	160 BELL HOLLOW LN	RUSSELL BRIAN J & STEPHANIE M		APPROVED
	ZP-6143	140 SYCAMORE LN	ATWELL JEFFREY A		APPROVED
	ZP-6947	545 MOUNT PROSPECT LN	GREENE ANDREA K		APPROVED
	ZPAG-286	184 KEYSTONE LN	ROBEY JOAN M & KAREN L HUMMER	\$200.00	APPROVED
	ZPAS-2452	2167 SHEPHERDS MILL RD	GRETCHEN YOUNG		APPROVED
	ZPAS-246	2469 RUSSELL RD	WRIGHT GREGORY A & DEBRA M		APPROVED
	ZPAS-2473	79 HAWTHORNE LN	HOGAN SUSAN E		APPROVED
	ZPAS-2524	19 CLARKE LN	RAMALEY RICHARD M & ROXANNE		APPROVED
	ZPAS-2547	2682 WICKLIFFE RD	HILL DARRIN P & ELIZABETH K LEFFEL		APPROVED

ZPAS-2576	3637 HARRY BYRD HWY	RODRIGUEZ ARMANDO & ELVIA ARELLANO		APPROVED
ZPAS-2618	2945 CASTLEMAN RD	SHENANDOAH VALLEY HOUSING LLC		APPROVED
ZPAS-2651	182 AUBURN RD	ORDWAY DOUGLAS W & IRENE DEFRANK		APPROVED
ZPAS-2717	1036 RETREAT RD	HILL JAMES MICHAEL & SUSAN GAYE		APPROVED
ZPAS-3096	500 LAUREL LN	JPMORGAN CHASE BANK NA		APPROVED
ZPAS-3836	267 HEMLOCK LN	DUNPHY MARTIN A & THERESA G		APPROVED
ZPAS-389	560 HONEY LN	BENNIE WILLIAM J ET AL		APPROVED
ZPAS-4663	482 PYLETOWN RD	HEATON KELLY B		APPROVED
ZPAS-4917	159 MAJESTYS PRINCE LN	WALNUT HALL FARM LLC		APPROVED
ZPAS-5125	2000 SPRINGSBURY RD	MOUNT HEBRON LLC		APPROVED
ZPAS-5440	96 LOCUST LN	JENKINS DAVID L & KELLY B		APPROVED
ZPAS-5544	119 GOOD SHEPHERD RD	MILEY MARGARET		APPROVED
ZPAS-563	538 CATHER RD	TREDWAY SCOTT O & JUDITH O		APPROVED
ZPAS-5981	300 CARTER HALL LN	PEOPLE TO PEOPLE HEALTH FDN INC		APPROVED
ZPAS-6289	3968 CALMES NECK LN	TORCZON RICHARD L JR & ANDREA G		APPROVED
ZPAS-6310	185 BLUE BIRD LN	MYERS T CHRISTIAN	\$200.00	PRE-APP MEETING HELD
ZPAS-6415	67 RIVER PARK LN	KLINE KARL KRIS & TRACEY LEE		APPROVED
ZPAS-6573	20615 BLUE RIDGE MTN RD	WALLACE TERRY ANN		APPROVED

ZPAS-6573a	20615 BLUE RIDGE MTN RD	TOM RATH		APPROVED
ZPAS-6629	19616 BLUE RIDGE MTN RD	MOUNTAIN PROPERTY LLC		APPROVED
ZPAS-6758	147 SHENANDOAH RIVER LN	LICKING VALLEY CONSTRUCTION CORP		APPROVED
ZPAS-6912	917 MANOR RD	WINE ANITA L		APPROVED
ZPAS-7208	93 WHITE PINE LN	SIEMINSKI JASON & MIRIAM D		APPROVED
ZPAS-7216	169 JOHN MOSBY HWY	SOONTHORNCHAI BOB TRUSTEE		APPROVED
ZPAS-7348	21839 BLUE RIDGE MTN RD	BURKE FRANCIS X JR & DEBORAH H	\$200.00	PRE-APP MEETING HELD
ZPAS-737	2134 ALLEN RD	SCHRYER ERIC RICHARD & SUSAN M		APPROVED
ZPAS-7667	4071 OLD CHARLES TOWN RD	THORNE JAMES M TRSTEE		APPROVED
ZPAS-7706	739 KIMBLE RD	GULDE L JOHN & SANDRA L TRSTEE		APPROVED
ZPAS-7893	281 VISTA LN	SCHMICK LEON H JR & BLANCA CORREA		APPROVED
ZPAS-7913	230 AUBURN RD	REXROAD ARNOLD L		APPROVED
ZPAS-7913a	230 AUBURN RD	GREG ARMSTRONG		APPROVED
ZPAS-9012	104 ROSEVILLE CT	MYER JOSEPH F & TAMARA B		APPROVED
ZPAS-9234	0	BROCK JAMES MARVIN III & JAMIE VIR		APPROVED
ZPAS-9324	381 SPRINGSBURY RD	CLAWSON TERESA		APPROVED
ZPAS-9341	559 GRANDDADDY LN	LCT LLC		APPROVED

Zoning Agriculture Structure	ZPAG-1171	381 SPRINGSBURY RD	CLAWSON TERESA	\$100.00	APPROVED
	ZPAG-17-5968	1581 MILLWOOD RD	FARLAND RICHARD A	\$100.00	APPROVED
	ZPAG-226	339 MINNIEWOOD LN	BLKBEAR LLC	\$100.00	APPROVED
	ZPAG-257	1375 WRIGHTS MILL RD	HARDING MARY ELLEN TRUSTEE	\$100.00	APPROVED
	ZPAG-488	517 LONGMARSH RD	HARDESTY JOHN D JR & CATHERINE J		APPROVED
	ZPAG-5482	432 RETREAT RD	MCINTOSH STEVE	\$100.00	APPROVED
	ZPAG-6787	353 SHENANDOAH RIVER LN	MCWHIRTER, ANASTASIA	\$100.00	APPROVED
	ZPAG-697	3575 LORD FAIRFAX HWY	MANOCHEHRI-KALANTARI	\$100.00	APPROVED
	ZPAG-711	1674 SUMMIT POINT RD	JOHNSON TODD A & BARBARA M	\$100.00	PRE-APP MEETING HELD
	ZPAG-7596	831 SUNNY CANYON LN	BROWN ANDREW KEONE & ZOE BELLE		APPROVED
	ZPAG-7599	169 KENTLAND LN	SHENK PHILIP S	\$100.00	APPROVED
	ZPAG-7926	1238 SHEPHERDS MILL RD	BROWNE KELLY J & CASSANDRA BUXTON	\$100.00	APPROVED
	ZPAG-804	3158 ALLEN RD	LEARY TIMOTHY J & KELLY A	\$100.00	APPROVED
	ZPAG-8109	345 SILVER RIDGE LN	WILSON KATHERINE J	\$100.00	APPROVED
	ZPAG-843	374 CLIFTON RD	WHITE SAMUEL STUART	\$100.00	APPROVED
	ZPAG-8571	0	WRIGHT PAMELA M TRUSTEE	\$100.00	APPROVED
	ZPAG-8861	0	JOHNSON ROBERT F & TERESA SSCHAFFER	\$100.00	APPROVED
	ZPAG-9017	2029 TRIPLE J RD	SNAPP MICHAEL S & ALLYSON O &	\$100.00	APPROVED

	ZPAG-9344	0	F J INDUSTRIALS	\$100.00	APPROVED
	ZPAG-936	620 SUNNY CANYON LN	OHRSTROM GEORGE L II		APPROVED
Zoning Commercial New	ZPCN-5981	300 CARTER HALL LN	PEOPLE TO PEOPLE HEALTH FDN INC		PRE-APP MEETING HELD
Zoning Home Occupation	HO2-7367	220 LAFAYETTE LN	LOBO IAN J & SARAH R		APPROVED
	HO-3513	552 ALDER LN	NORRIS TINA R		APPROVED
	HO-4834	20 E SHARON DR	TRS FOR WHITE POST CHARGE		APPROVED
	HO-7367	220 LAFAYETTE LN	LOBO IAN J & SARAH R		APPROVED
	HO-9055	108 MEADOW VIEW DR	WOERL JOEL A & TAMILA R		APPROVED
	HO-9242	413 MISTY HILL LN	COSSETTE DALE & JENNIFER		APPROVED
	ZOHO-3485	0	DAY ROBERT S TRUSTEE		APPROVED
	ZOHO-379	751 RUSSELL RD	EDMONDS JAMES A & SHARON M		APPROVED
	ZPHO-144	1297 WADESVILLE RD	FINNELLE CHRISTOPHER J		APPROVED
	ZPHO-1906	422 FIRST ST	KERSEY KYLE BENJAMIN & KAITLIN M		APPROVED
	ZPHO-23459	6294 LORD FAIRFAX HWY	JBH INVESTMENTS LLC		APPROVED
	ZPHO-241	384 WRIGHTS MILL RD	SMITH SCOTT M & LISA L		APPROVED
	ZPHO-2451	2626 SHEPHERDS MILL RD	BIGHOUSE JO ELLEN		APPROVED
	ZPHO-2490	5260 HARRY BYRD HWY	CHURCH JAMES N FAMILY TRUST		APPROVED
	ZPHO-2576	3637 HARRY BYRD HWY	RODRIGUEZ ARMANDO & ELVIA ARELLANO		APPROVED
	ZPHO-2641	3106 CASTLEMAN RD	FEHR JULIANA VAN OLPHEN		APPROVED
	ZPHO-2653	400 AUBURN RD	MATICH KENNETH A &		APPROVED

			ANDREA L		
	ZPHO-3214	369 DOGWOOD LN	PRISTACH PETER C		APPROVED
	ZPHO-385	11865 HARRY BYRD HWY	NUCCIO ARTHUR C JR & ANDREA L		APPROVED
	ZPHO-388	170 HONEY LN	KING SHAWN A & CHRISTOFF C BOTHA		APPROVED
	ZPHO-433	10449 HARRY BYRD HWY	VINCENT NANCY F		APPROVED
	ZPHO-4544	9116 JOHN MOSBY HWY	GRUBBS PRESTON D		APPROVED
	ZPHO-4560	195 GINNS RD	RUSSELL JEROME L		APPROVED
	ZPHO-4572	374 DEARMONT HALL LN	PHILLIPS LUCIAN E & FELICIA G		APPROVED
	ZPHO-4693	544 PYLETOWN RD	RAPER NEIL M & DEANNA M		APPROVED
	ZPHO-4858	206 OLD CHAPEL AVE	GREENE ANDREA K TRUST		APPROVED
	ZPHO-4959	3386 BISHOP MEADE RD	COFFELT EDGAR L JR & DOREEN M		APPROVED
	ZPHO-5045	2338 BISHOP MEADE RD	MATT DESROSIERS		APPROVED
	ZPHO-5073	940 BROWNTOWN RD	GUM GREGORY L & DIANE		APPROVED
	ZPHO-5165	56 LOCKES MILL RD	WALLACE MARY L		APPROVED
	ZPHO-5299	1320 CHILLY HOLLOW RD	MASSANOPOLI PAUL & PATRICIA A		APPROVED
	ZPHO-6363	2689 FROGTOWN RD	RUBAL ANTHONY & SUSAN L		APPROVED
	ZPHO-6427	77 CLIFF LN	MCGILL STEPHEN DANIEL		APPROVED
	ZPHO-6489	299 TADPOLE LN	WOLDORF CLARE T & PAUL D		APPROVED
	ZPHO-6539	293 RIVER PARK LN	ZIMMERMAN ALLISON J		APPROVED
	ZPHO-6573	20615 BLUE RIDGE MTN RD	TOM RATH		APPROVED

	ZPHO-6611	19635 BLUE RIDGE MTN RD	ROBINSON JASON E		APPROVED
	ZPHO-7001	440 WHITE PINE LN	SINGHAS DANIEL L & HOLLY ANN		APPROVED
	ZPHO-7423	1240 MOOSE RD	WHITACRE HAROLD R		APPROVED
	ZPHO-7903	104 VISTA LN	STONESIFER MITCHELL		APPROVED
	ZPHO-8754	128 VICTORY LN	LAPOLE CARROLL P & KAREN F		APPROVED
	ZPHO-899	5513 SENSENY RD	KEEFER DONNA R		APPROVED
Zoning No Building Permit	ZPNP-6310	185 BLUE BIRD LN	MYERS T CHRISTIAN	\$100.00	APPROVED
	ZPNP-7348	21839 BLUE RIDGE MTN RD	BURKE FRANCIS X JR & DEBORAH H	\$100.00	APPROVED
Zoning Permit Heated Addition	ZPHA-1102	2273 SENSENY RD	BROWN TODD R & CATHY A		APPROVED
	ZPHA-382	295 RUSSELL RD	COOPER HARRY PAUL JR & HELEN LEE		APPROVED
	ZPHA-4498	17641 RAVEN ROCKS RD	SISNEY ELZIE D & LAURI ANN		APPROVED
	ZPHA-4742	104 N GREENWAY AVE	HALL DENNIS S & KATHLEEN S		APPROVED
	ZPHA-5180	2704 SPRINGSBURY RD	FRED W. DODSON, II		APPROVED
	ZPHA-5489	261 PINE GROVE RD	MILLER FRANCIS EUGENE JR & SUSAN D		APPROVED
	ZPHA-5653	322 PINE GROVE RD	TAPSCOTT ROGER W & AMANDA J		APPROVED
	ZPHA-6780	567 SHENANDOAH RIVER LN	LITTLETON GREGORY A & ALBERTINA M		APPROVED
	ZPHA-7109	490 MORGAN LN	POSTON DUANE L & FRANCES I		APPROVED
	ZPHA-7842	2955 ALLEN RD	WARFIELD SHARON K & WAYNE S SR		APPROVED

Zoning Residential	ZPHA-7913	230 AUBURN RD	REXROAD ARNOLD L		APPROVED
	ZPHA-923	2160 SALEM CHURCH RD	NOVAK EDWARD F & BETH A		APPROVED
	ZP-9341	559 GRANDDADDY LN	LCT LLC		APPROVED
	ZPRN-1218	888 TRAPP HILL RD	MCDONALD MALCOLM R & MARY HELEN		APPROVED
	ZPRN-295	82 MOOSE RD	PULEO JOSEPH A		APPROVED
	ZPRN-397	1229 FISHPAW RD	TREDWAY MARGARET G TRUSTEE		APPROVED
	ZPRN-4170	1221 BEECHWOOD LN	WELLS BARRY		APPROVED
	ZPRN-4665	785 PYLETOWN RD	BODKIN DAVID G & LINDA R		APPROVED
	ZPRN-4682	478 PAGE BROOK LN	LONGERBEAM GARY H		APPROVED
	ZPRN-5275	1539 CHILLY HOLLOW RD	MORELAND KATHY A ET ALS		APPROVED
	ZPRN-537	250 POPE LN	POPE RICKY E		APPROVED
	ZPRN-5577	165 RATCLIFFE LN	KELLEHER THOMAS A JR & ANDREA P		APPROVED
	ZPRN-563	538 CATHER RD	TREDWAY SCOTT O & JUDITH O		APPROVED
	ZPRN-6106	78 BURCH LN	STERN SARA M & WILLIAM A & JOHN E		APPROVED
	ZPRN-6225	1725 MOUNT CARMEL RD	SAYNE GEORGE K		APPROVED
	ZPRN-6399	4440 EBENEZER RD	WINE JAMES A JR & CAROL FLAHERTY		APPROVED
	ZPRN-654	1433 STRINGTOWN RD	THURMAN FARM LLC		APPROVED
	ZPRN-6626	130 ASHLEY WOODS LN	ADELL KAMRAN & MARJANEH S		APPROVED

	ZPRN-6758	147 SHENANDOAH RIVER LN	PETERSON JAMES		APPROVED
	ZPRN-6863	7135 HOWELLSVILLE RD	MICALE ANJANETTE E		APPROVED
	ZPRN-7278	279 CAREFREE LN	ZETLIN DIANA		APPROVED
	ZPRN-7284	661 SOLITUDE LN	MCARTOR LIMITED PARTNERSHIP		APPROVED
	ZPRN-7596	831 SUNNY CANYON LN	BROWN ANDREW KEONE & ZOE BELLE		APPROVED
	ZPRN-7596a	831 SUNNY CANYON LN	BROWN ANDREW KEONE & ZOE BELLE		APPROVED
	ZPRN-843	374 CLIFTON RD	WHITE SAMUEL STUART		APPROVED
	ZPRN-8756	82 THORNTON RD	DAVIS ADAM MICHAEL & ELIZABETH S		APPROVED
	ZPRN-8978	235 ASHLEY WOODS LN	LUCERNONI WAYNE A & MARIANNE B		APPROVED
	ZPRN-9090	108 HAMPTON LN	LESTER JACK L		APPROVED
	ZPRN-9370	54 CANNON BALL RD	DAVIS GREGORY & JOANN CORNWELL		APPROVED
	ZPRN-9371	4620 EBENEZER RD	FLAHERTY REBECCA		APPROVED
	ZPRN-9377	315 POPE LN	POPE, JASON		APPROVED
	ZPRN-96	4066 CRUMS CHURCH RD	KNIGHT ROSALIE M &		APPROVED
	ZPRN-965	345 LANDER LN	GARCIA GRINAN ILEANA TR		APPROVED
Zoning Sign	ZPS-2451	2626 SHEPHERDS MILL RD	BIGHOUSE JO ELLEN	\$184.00	APPROVED
	ZPS-4796	26 S GREENWAY AVE	ROSEVILLE REAL ESTATE	\$1,006.60	APPROVED
	ZPS-5299	1320 CHILLY HOLLOW RD	MASSANOPOLI PAUL & PATRICIA A	\$120.00	APPROVED

	ZPS-5673	120 HIGHLAND CORNERS RD	GIBSON MONTIE W JR & PEARL E	\$320.00	APPROVED
	ZPS-5950	1724 BERRYS FERRY RD	HISSONG FAMILY LLC	\$320.00	PRE-APP MEETING HELD
	ZPS-6167	2037 MILLWOOD RD	PHYLISS NEE	\$120.00	APPROVED
Zoning Unheated Addition	ZPUA-240	739 PIERCE RD	GALLAGHER JAMES		APPROVED
	ZPUA-314	2119 RUSSELL RD	NELSON CLIFFORD M & M SANDRA TRST		APPROVED
	ZPUA-5013	308 PROSPECT SPRING LN	GUSTAFSON SCOTT F & SUSAN L		APPROVED
	ZPUA-5076	814 BROWNTOWN RD	HOUGH ELIZABETH ANN		APPROVED
	ZPUA-5376	1358 EBENEZER RD	TOMBERLIN GUY D JR & SANDRA R		APPROVED
	ZPUA-5414	18099 RAVEN ROCKS RD	KIDBY SCOTT W & MELISSA PAGANO		APPROVED
	ZPUA-5505	477 PINE GROVE RD	MILLER JAMES F & CARLA D		APPROVED
	ZPUA-6023	457 KENNEL RD	WALLACE ROY L & MARY ANN		APPROVED
	ZPUA-6584	19457 BLUE RIDGE MTN RD	SCOTT THOMAS J & MICHELE E		APPROVED
	ZPUA-7388	20677 BLUE RIDGE MTN RD	HUYN TAY		APPROVED
	ZPUA-7657	4 N GREENWAY AVE	FRIESS DAVID W		APPROVED
	ZPUA-9037	317 HOPKINS DR	LEVI, GRISELDA		APPROVED
	ZPUA-910	2993 SALEM CHURCH RD	HEMENWAY SCOTT W		APPROVED
	ZPUS-6538	0	CANNON CHARLES L JR		APPROVED
	ZPUS-805	1245 CLIFTON RD	JOHNSON MARY J		APPROVED

4. **Maximum Lot Size Exceptions**

There was one Maximum Lot Size Exception approved in 2017.

5. **Sign Permits**

There were six sign permits issued in 2017.

APPENDIX B – 2017 ADOPTED TEXT AMENDMENTS
ZONING ORDINANCE TEXT AMENDMENT (TA-17-01)
Agricultural Business Uses
(Adopted by the Board of Supervisors on March 21, 2017)

Description:

Proposed text amendment to amend §3-A-1 (Agricultural-Open Space-Conservation District – AOC), §3-A-2 (Forestal-Open Space-Conservation District – FOC), §3-A-3 (Rural Residential District – RR), §3-A-12 (Neighborhood Commercial District – CN), §3-A-13 (Highway Commercial District – CH), §3-C (Supplementary Regulations), and Article 9 (Definitions) of the Zoning Ordinance. The following amendments are proposed:

- Add “farm machinery sales and service” and “farm supplies sales” as permitted and special uses in the AOC District based on floor area limitations along with new supplementary regulations and definitions for each use.
- Amend definition of “agriculture” to more accurately reflect the County’s agricultural industry and to include “horticulture.”
- Delete definition of “horticulture” and permitted uses in the AOC, FOC, and RR Districts.
- Add “The wholesale or retail sale of agricultural products, grown or processed in conjunction with an agricultural operation, that is clearly accessory and incidental to that agricultural operation” as a new accessory use in the AOC and FOC Districts.
- Delete definition and supplementary regulations for “Processing of agricultural products not totally produced in Clarke County (excluding wineries, breweries, cideries, and distilleries)” and special uses in the AOC and FOC Districts.
- Delete “Nurseries, greenhouses (commercial)” as permitted uses in the CN and CH Districts.
- Add “Historic mill” as a new permitted use in the AOC and CN Districts along with a new definition and supplementary regulations.
- Additional changes are provided for clarity purposes

Ordinance Amendment Text (changes shown in bold italics with strikethroughs where necessary):

Agricultural Support Businesses

Farm Machinery Sales and Service/Farm Supplies Sales

- **District uses:**

Add the following as new permitted uses in the Agricultural-Open Space-Conservation (AOC) District (§3-A-1-a-1):

- *Farm machinery sales and service*
- *Farm supplies sales*

Add the following as new special uses in the Agricultural-Open Space-Conservation (AOC) District (§3-A-1-a-3):

- *Farm machinery sales and service with floor area ~~in excess of 15,000~~ 12,000 square feet or greater.*
- *Farm supplies sales with floor area ~~in excess of 15,000~~ 12,000 square feet or greater.*

Edit the following uses for clarity purposes:

- Farm supplies ~~and~~ sales (§3-A-12-a-3-c – Neighborhood Commercial District; §3-A-13-a-1-g – Highway Commercial District)

- **Definitions (Article 9):**

Add the following new definitions:

- *Farm machinery sales and service -- Buildings and land used for the onsite sale of machinery, equipment, and parts, and/or for the onsite service of machinery and equipment, manufactured primarily for use by an agricultural operation.*
- *Farm supplies sales -- Buildings and land used for the onsite sale of supplies that are primarily produced or manufactured for use by an agricultural operation.*

- **Supplementary Regulations (§3-C-2):**

Add the following new supplementary regulations:

Farm Machinery Sales and Service

The following regulations shall apply to such uses that are proposed in the Agricultural-Open Space-Conservation (AOC) District:

1. *Approval of a site development plan by the Planning Commission per Article 6 shall be required. A plan for the effective onsite containment and offsite*

disposal of waste fluids and other chemicals in accordance with State requirements shall be provided with the site development plan. No onsite disposal of waste fluids or chemicals shall be permitted.

- 2. The property on which a farm machinery sales and service business is located shall have frontage on a Federal primary highway (US 340, US 522, US 50/17) or four-lane divided State primary highway (VA 7) and shall have a commercial entrance approved by the Virginia Department of Transportation (VDOT).*
- 3. The total floor area of the building or buildings used for farm machinery sales and service shall not exceed 11,999 square feet without an approved special use permit.*
- 4. All service activities shall be conducted within an enclosed building.*
- 5. No outdoor storage shall be permitted. Outdoor display of machinery shall be permitted within the building envelope and shall be designated on the site plan.*
- 6. Service and repair activities shall be limited to farm machinery and equipment including but not limited to farm tractors, combines, harvesters, and the like. No service or repair of automobiles, heavy trucks, or other motor vehicles shall be permitted.*

Farm Supplies Sales

The following regulations shall apply to such uses that are proposed in the Agricultural-Open Space-Conservation (AOC) District:

- 1. Approval of a site development plan by the Planning Commission per Article 6 shall be required. A plan for the effective onsite containment and offsite disposal of fertilizers, pesticides/herbicides, and chemicals in accordance with State requirements shall be provided with the site development plan. No onsite disposal of fertilizers, pesticides/herbicides, or chemicals shall be permitted.*
- 2. The property on which a farm supplies sales business shall have frontage on a Federal primary highway (US 340, US 522, US 50/17) or four-lane divided State primary highway (VA 7) and shall have a commercial entrance approved by the Virginia Department of Transportation (VDOT).*
- 3. The total floor area of the building or buildings used for farm supplies sales shall not exceed 11,999 square feet without an approved special use permit.*
- 4. Outdoor storage of supplies shall only be permitted within the rear yard building envelope and shall be designated on the site plan. Outdoor storage areas shall be secured with fencing.*
- 5. Outdoor display of supplies shall only be permitted in a designated area within the building envelope not to exceed 750 square feet.*

6. *Retail sale of non-agricultural merchandise is allowed so long as sale of such merchandise is accessory and clearly incidental to the sale of farm supplies.*

Feed and Grain Mills

- **District uses:**
Add the following as a new permitted use in the Agricultural-Open Space-Conservation District (§3-A-1-a-1) and the Neighborhood Commercial District (§3-A-12-a-1):

- *Historic Mill*

- **Definitions (Article 9):**
Add the following new definition:

HISTORIC MILL -- One of the County's two 18th Century water mills -- Burwell-Morgan Mill (15 Tannery Lane) and Locke's Mill (1600 Locke's Mill Road) -- originally constructed for the grinding of grains.

- **Supplementary Regulations (§3-C-2):**
Add the following new supplementary regulations:

Historic Mill

1. ***Primary uses that are permitted at an historic mill include grinding of grains and historical/educational activities.***
2. ***Retail sales are permitted so long as the activity is accessory and clearly incidental to the primary uses.***
3. ***Any expansion of the existing mill footprint as of the adoption date of this ordinance, or construction of new structures or parking areas on the same parcel, shall require site development plan approval per Article 6 and compliance with Section 3-E-3, Historic Districts, if applicable.***

Retail Sales of Agricultural Products

Definition of "Agriculture"

- **Definitions (Article 9):**
 - Amend the current definition of "agriculture" as follows:
 - ~~***AGRICULTURE: The use of land devoted to agricultural products and the processing of such agricultural products that are produced in Clarke County. Bio-Solids Land Application shall be considered an agricultural activity.***~~

- ***AGRICULTURE: The use of land for (i) tilling of the soil, (ii) the growing of crops or plant growth of any kind, including fruit, flowers, and ornamental plants, (iii) pasturage, (iv) dairying, or (v) the raising of poultry and/or livestock.***
 - Delete the current definition for “horticulture”:
 - ***~~HORTICULTURE: The use of land devoted to the production of fruit of all kinds (including berries, grapes, and nuts), and ornamental plants and products, and vegetables.~~***
- **District uses:**
Delete the current permitted use:
 - ***Horticulture --***
 - Agricultural-Open Space-Conservation (AOC) District (§3-A-1-a-1-c)
 - Forestal-Open Space-Conservation (FOC) District (§3-A-2-a-1-c)
 - Rural Residential (RR) District (§3-A-3-a-1-b)
- **District uses:**
Add the following as a new accessory use in the Agricultural-Open Space-Conservation (AOC) District and the Forestal-Open Space-Conservation (FOC) District:
 - ***Bio-Solids Land Application, to the extent required by State law.*** (§3-A-1-a-2-g and §3-A-2-a-2-f)

Onsite Sale of Products by Farm

- **District uses:**
Add the following as a new accessory use in the Agricultural-Open Space-Conservation (AOC) District and the Forestal-Open Space-Conservation (FOC) District:
 - ***The wholesale or retail sale of agricultural products, grown or processed in conjunction with an agricultural operation, that is clearly accessory and incidental to that agricultural operation.*** (§3-A-1-a-2-f and §3-A-2-a-2-f)
- **District uses:**
Delete the current special use:
 - ***~~Processing of agricultural products not totally produced in Clarke County (excluding wineries, breweries, cideries, and distilleries) --~~***

Agricultural-Open Space-Conservation (§3-A-1-a-3-m) and Forestal-Open Space-Conservation (§3-A-2-a-3-j) Districts.

- **Supplementary Regulations (§3-C-2):**

Delete the current supplementary regulation:

- **Processing of Agricultural Products Not Totally Produced in Clarke County (§3-C-2-z)**

~~*Processing of Agricultural Products Not Totally Produced in Clarke County:*~~

~~*An applicant proposing the Processing of Agricultural Products not totally produced in Clarke County shall submit a site plan, per Section 6 of this Ordinance, subject to administrative approval by the Zoning Administrator. Any facilities used for such processing shall be set back at least 500 feet from incorporated town limits, the Berryville Annexation Area, the Rural Residential Zoning District, and parcels less than six acres in area.*~~

- **District uses:**

Delete the current permitted use:

- ~~*Nurseries, greenhouses (commercial)*~~ –
 - Highway Commercial (CH) District (§3-A-13-a-1-m)
 - Neighborhood Commercial (CN) District (§3-A-12-a-1-h)
- Amend the current special use to be consistent with the defined term:
 - *Small Scale* Processing of Fruit and Vegetables – Forestal-Open Space-Conservation District (§3-A-2-a-3-k)

ZONING ORDINANCE TEXT AMENDMENT (TA-17-02)

Wireless Communication Facilities (WCFs) (Adopted by the Board of Supervisors on June 20, 2017)

Description:

Proposed text amendments to amend §3-A-1 (Agricultural-Open Space-Conservation District – AOC), §3-A-2 (Forestal-Open Space-Conservation District – FOC), §3-A-3 (Rural Residential District – RR), §3-A-12 (Neighborhood Commercial District – CN), §3-A-13 (Highway Commercial District – CH), §3-C-2-u (Monopoles for Telecommunication Antennae), §3-E-3 (Historic District), §3-E-4 (Historic Access Overlay District), §6-H-12 (Monopoles for Telecommunication Antennae), and Article 9 (Definitions) of the Zoning Ordinance. The purpose of the text amendments is to revise the requirements for the siting, construction, and modification of monopoles, towers, stealth structures, support structures, and associated equipment. Specific changes include but are not limited to:

- Maximum allowable height of a new WCF would be increased from 100 feet to 199 feet, subject to special use permit and site plan approval and compliance with new siting regulations.
- Use the County’s Telecommunications Infrastructure and Broadband Study as a guide in locating WCFs to maximize telecommunications service to residents and businesses and to minimize adverse impact on the County’s scenic and historic resources.
- New design requirements for stealth WCFs, including silos, flag poles, bell towers, and tree structures.
- New requirement for review of WCF applications by a third-party wireless telecommunications engineering consultant.
- New regulations for construction of amateur radio antennas consistent with State and Federal law.

Ordinance Amendment Text (Changes shown in bold italics with strikethroughs where necessary:

3-C-2-u ~~Monopoles for Telecommunication Antennae:~~
Wireless Communication Facilities (WCFs):

~~1. A site plan, in accord with Section 6 of this ordinance, shall be submitted for Monopoles for Telecommunication Antennae (note: Section 6-H-12, Standards for Monopoles for Telecommunication Antennae, contains additional specific regulations). A monopole is a self-supporting single shaft structure. It does not have guy wires and is not a lattice tower with multiple legs and cross-bracing structure~~

1. Purpose and objectives; Telecommunications Engineering Study.

a. Purpose. The purpose of this section and the design standards in §6-H-12 is to provide for the siting of Wireless Communication Facilities (WCFs) by establishing requirements for the siting, construction and modification of monopoles, towers, stealth structures, support structures, and associated equipment.

b. Objectives. The objectives of this section are:

- (1) To reduce the adverse visual impact of such facilities***
- (2) To encourage the placement of WCFs in locations with appropriate vegetative cover and screening, and encourage co-location of antennas as an alternative to construction of new WCFs***
- (3) To promote alternative stealth structure design***
- (4) To facilitate deployment of WCFs to provide coverage to residents and businesses of Clarke County in a manner consistent with the County's character***

c. Telecommunications Infrastructure and Broadband Study. This section is intended to be applied in conjunction with the County's Telecommunications Infrastructure and Broadband Study. The Study's proposed locations for new WCFs are a guide to maximize telecommunications service to residents and businesses and to minimize adverse impact on the County's scenic and historic resources.

2. Classes of Wireless Communication Facilities. WCFs shall be divided into the following classes:

a. Class 1. WCFs with a height not to exceed fifty (50) feet above ground level (AGL). Such design shall be limited to a monopole or "stealth" design. Antennas must be surface mounted on the monopole.

b. Class 2. WCFs with a height not to exceed eighty (80) feet above ground level (AGL). Such facilities shall be limited to a monopole or "stealth" design. Antennas must be surface mounted on the monopole.

- c. *Class 3. WCFs with a height not to exceed one hundred and twenty (120) feet above ground level (AGL). Such facilities shall be limited to a monopole design as the support structure.*
 - d. *Class 4. WCFs with a height not to exceed one hundred and ninety nine (199) feet above ground level (AGL). Such facilities shall be limited to a monopole design as the support structure.*
 - e. *Class 5. Amateur radio antennas subject to the limitations of Code of Virginia §15.2-2293.1 and Federal Communications Commission (FCC) provisions specified in the Code of Federal Regulations.*
3. *General Use Standards.*
- a. *All WCFs must meet current standards and regulations of the Federal Aviation Administration (FAA), FCC, and any other agency of the county, state, or federal government with the authority to regulate WCFs. If regulations change and WCFs are required to comply with such changes, the owners of the WCFs governed by this ordinance shall bring WCFs into compliance within six (6) months of the effective date of such change in standards or regulations. Failure to comply shall constitute grounds for the removal of the WCFs at the owner's expense.*
 - b. *WCFs shall be considered either a principal or accessory use.*
4. *By-right uses. The uses listed in this subsection are deemed to be by-right uses subject to review and approval of a site development plan demonstrating compliance with this section, §6-H-12, and other applicable sections of the Zoning Ordinance:*
- a. *Co-location. Co-location of new antennas, electronics, cables, and ground support equipment to include cabinets, shelters, power supply transformers, generators, fuel tanks, power meters and other required support equipment on existing WCFs or other structures. The site development plan shall be subject to administrative review and approval by the Zoning Administrator. Third-party engineering review may be required if deemed necessary by the Zoning Administrator.*
 - b. *Class 1 and Class 5 WCFs. The site development plan shall be subject to administrative review and approval by the Zoning Administrator. Third-party engineering review may be required if deemed necessary by the Zoning Administrator.*
 - c. *Class 2 WCFs. The site development plan shall be subject to administrative review and approval by the Planning Commission including third-party engineering review.*

- d. *Distributed antenna systems (DAS).* *Installing a DAS (such as a cable microcell network) through the use of multiple low-powered transmitters/receivers attached to existing wireless systems, such as conventional cable or telephone equipment, or similar technology that does not require the use of WCFs. The site development plan shall be subject to administrative review and approval by the Zoning Administrator. Third-party engineering review may be required if deemed necessary by the Zoning Administrator.*
- e. *WCF upgrades/equipment maintenance of an existing wireless provider on a WCF.* *The site development plan shall be subject to administrative review and approval by the Zoning Administrator. Third-party engineering review may be required if deemed necessary by the Zoning Administrator.*

5. *Special Uses.*

- a. *The uses listed in this subsection require issuance of a Special Use Permit including review and approval of a site development plan demonstrating compliance with this section, §6-H-12, and other applicable sections of the Zoning Ordinance:*
 - (1) *Class 3 & 4 WCFs.*
 - (2) *Any Class 3 or Class 4 WCF which is being rebuilt on the same parcel to accommodate the co-location of an additional WCF. The rebuilt WCF shall meet all requirements of this section and §6-H-12. There shall only be one (1) WCF per Special Use Permit in the designated compound area.*
- b. *In granting a Special Use Permit, the Planning Commission may recommend and the Board of Supervisors may impose conditions to the extent that the Board concludes such conditions are necessary to minimize any adverse effect of the proposed WCF on adjoining properties.*

6. *Co-location of antennas as required by Federal law.* Notwithstanding any provision of this Ordinance related to Special Use Permit requirements and procedures on any specific special use condition placed on an approved ~~monopole WCF~~, the Zoning Administrator shall administratively approve ~~an amendment to the previously approved site development plan for a monopole~~ *a site development plan* to allow co-location, removal, or replacement of ~~transmission equipment~~ *antennas, electronics, cables, and ground support equipment to include cabinets, shelters, power supply transformers, generators, fuel tanks, power meters and other required support equipment on existing Class 1, 2, 3, or 4 WCFs*, as required by Federal law, that meets all of the following standards:

- a. *The co-location, removal, or replacement of equipment does not result in the ~~monopole WCF~~ failing to meet the requirements of §6-H-12-b and §6-H-12-e §6-H-12-a-5 of this Ordinance.*

- b. Installation of the proposed equipment does not increase the height of the ~~monopole~~ WCF by more than 10% of the original approved height or by the height needed to provide 20 feet of separation from the closest antenna array location on the ~~monopole~~ WCF, whichever is greater, except that the mounting of the proposed equipment may exceed these limits if necessary to avoid interference with equipment existing on the ~~monopole~~ WCF. For any request to exceed height limits to avoid interference with existing equipment on the ~~monopole~~ WCF, the applicant shall provide a report by a licensed engineer to justify the request. Such report shall be evaluated by the County's engineering consultant and the applicant shall be responsible for reimbursing the county for all costs associated with the consultant's review.
 - c. Installation of the proposed equipment would not involve the installation of more than the standard number of new equipment cabinets for the technology involved, not to exceed four, or more than one new equipment shelter. New equipment shelters and cabinets shall be located within the existing approved compound.
 - d. ~~Installation of the proposed equipment would not involve the adding of any appurtenance that would protrude from the edge of the monopole more than 20 feet or protrude more than the width of the largest existing appurtenance, whichever is less. Mounting of the proposed equipment may exceed the foregoing size limits if necessary to provide shelter from inclement weather or to connect the equipment to the monopole via cable.~~
 - de. Installation of the proposed equipment would not involve excavation outside the boundaries of the ~~monopole~~ WCF site depicted on the original approved site development plan.
78. **Compliance with Federal and State regulations required.** *Compliance with all Federal Aviation Administration and Federal Communication Commission requirements, including review by the Virginia Department of Historic Resources of properties eligible for listing and listed on the National Register of Historic Places in accord with Section 106 procedures, shall be demonstrated in writing if required by statute.*
89. **Commercial use of Class 5 WCFs prohibited.** *There shall be no co-location of any commercial antennas or equipment on any Class 5 amateur radio WCF for service other than the owner/operator of the Class 5 structure. If any commercial service is located on the WCF, the Class 5 WCF shall lose its status as a Class 5 WCF and shall become a commercial facility and be treated as such under County, State and Federal regulations.*
9. **Existing monopoles and telecommunication towers.** *Monopoles in existence as of the adoption date of this ordinance shall be considered as WCFs with a Class that corresponds to the monopole's height. Existing telecommunication towers in excess of 199 feet in height or having a design other than a monopole shall not be considered WCFs for the purpose of this ordinance.*

ZONING DISTRICTS FOR WIRELESS COMMUNICATION FACILITIES

<i>Class</i>	<i>AOC</i>	<i>FOC</i>	<i>CH</i>		<i>CN</i>	<i>RR</i>	<i>Historic Overlay*</i>	<i>Hist Access Overlay*</i>
<i>Co-Location</i>	<i>A</i>	<i>A</i>	<i>A</i>		<i>A</i>	<i>A</i>	<i>A</i>	<i>A</i>
<i>1 (max 50')</i>	<i>P</i>	<i>P</i>	<i>P</i>		<i>P</i>	<i>P</i>	<i>X</i>	<i>P</i>
<i>2 (max 80')</i>	<i>P</i>	<i>P</i>	<i>P</i>		<i>P</i>	<i>P</i>	<i>X</i>	<i>P</i>
<i>3 (max 120')</i>	<i>S</i>	<i>S</i>	<i>S</i>		<i>X</i>	<i>X</i>	<i>X</i>	<i>S</i>
<i>4 (max 199')</i>	<i>S</i>	<i>S</i>	<i>S</i>		<i>X</i>	<i>X</i>	<i>X</i>	<i>S</i>
<i>5 (am. radio)</i>	<i>P</i>	<i>P</i>	<i>P</i>		<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>

P – Permitted/by-right

A – Accessory use

S – Special use

X – Prohibited use

** -- Subject to the underlying zoning district regulations and compliance with overlay district review criteria.*

SUMMARY OF WIRELESS COMMUNICATION FACILITY CLASSES

<i>Class</i>	<i>Max Height</i>	<i>Approval Authority</i>	<i>Special Use Permit Required?</i>	<i>Site Plan Required?</i>	<i>Engineering Review Required?</i>	<i>Design</i>
<i>1</i>	<i>50 feet</i>	<i>Zoning Administrator</i>	<i>No – by right use</i>	<i>Yes*</i>	<i>Zoning Administrator's discretion</i>	<i>Monopole or stealth w/surface mounted antennas</i>
<i>2</i>	<i>80 feet</i>	<i>Planning Commission</i>	<i>No – by right use</i>	<i>Yes</i>	<i>Yes</i>	<i>Monopole or stealth w/surface mounted antennas</i>
<i>3</i>	<i>120 feet</i>	<i>BOS with PC review</i>	<i>Yes</i>	<i>Yes</i>	<i>Yes</i>	<i>Monopole</i>
<i>4</i>	<i>199 feet</i>	<i>BOS with PC review</i>	<i>Yes</i>	<i>Yes</i>	<i>Yes</i>	<i>Monopole</i>
<i>5</i>	<i>Per State law</i>	<i>Zoning Administrator</i>	<i>No – by right use</i>	<i>Yes*</i>	<i>Zoning Administrator's discretion</i>	<i>Amateur radio antenna per State law</i>

- * *Depending on the nature and design of the Class 1 or Class 5 WCF, the Zoning Administrator has the discretion to waive certain site development plan requirements per §6-C.*

NOTE – Co-location of new antennas and equipment on existing WCFs and other structures are approved administratively by the Zoning Administrator.

6-H-12 ~~Monopoles for Telecommunication Antennae~~
Design Standards for Wireless Communication Facilities (WCFs)

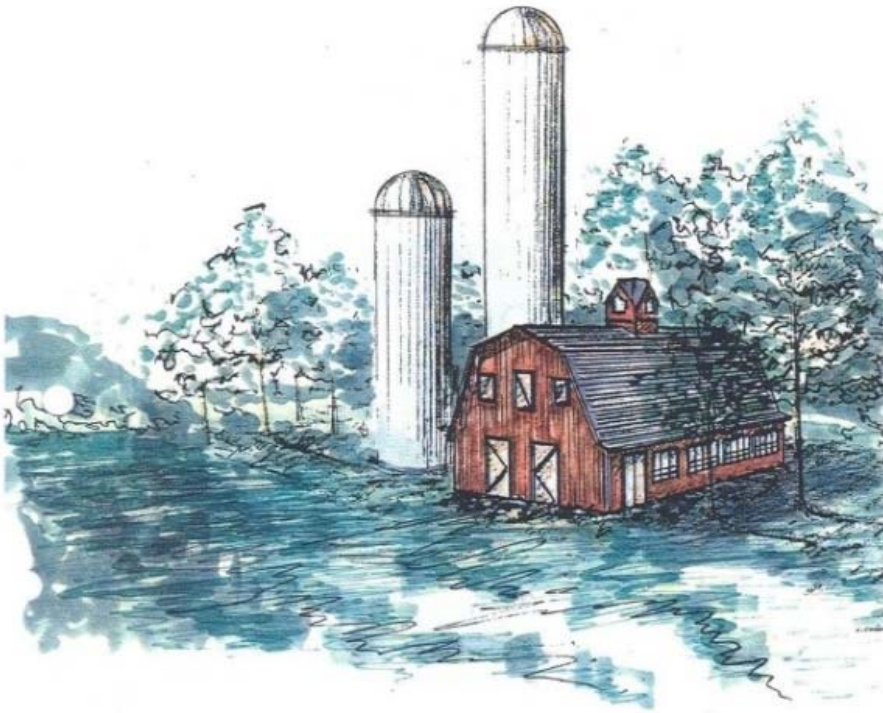
6-H-12-a. ***Design Standards***

1. ***All WCFs shall be a monopole or stealth design.***
2. ***Prohibition on lighted WCF.*** A ~~monopole~~ WCF shall not trigger a requirement, public or private, that it be lighted nor shall it be lighted on a voluntary basis.
3. ***Height requirements.***
 - a. ***The maximum height for a Class 1 WCF shall be fifty (50) feet including any attachments.***
 - b. ***The maximum height of a Class 2 WCF shall be eighty (80) feet including any attachments.***
 - c. ***The maximum height of a Class 3 WCF shall be one hundred and twenty (120) feet including any attachments.***
 - d. ***The maximum height of a Class 4 WCF shall be one hundred and ninety nine (199) feet including any attachments.***
 - e. ***Class 5 WCFs shall conform to all Federal codes regulating amateur radio Licenses.***
 - f. ***Determination of ~~monopole~~ height shall include any attachments to the ~~monopole~~ WCF. Lightning rods shall be exempt from the maximum height calculation.***
4. ***Aesthetic requirements.*** WCFs shall meet the following aesthetic requirements:
 - a. ***The visual impact of a ~~monopole WCF and any associated facilities (including attachments, security fencing, utilities, and equipment shelters)~~ shall blend with the natural and built environment of the surrounding area using mitigation measures such as: architecture, color, innovative design, landscaping, setbacks greater than the minimum required, materials, siting, topography, and visual screening. The number of existing ~~monopoles~~ readily apparent Class 2, 3, and 4 WCFs in an area shall also be considered when determining visual impact of a new ~~monopole WCF~~. ~~Monopoles Class 3 or 4 WCFs shall not ridge lines, but down slope from the top of ridge lines~~ exceed the maximum height of the tree canopy on the topographic crest of the Blue Ridge Mountains.***

Administrative Review of the site development plan, including third-party engineering review, will determine if stealth technology shall be used and what

type of stealth technology is required if the WCF design and placement is determined not to meet the objectives stated within this Ordinance.

- b. The design of buildings and related structures within the WCF compound area shall, to the extent possible, use materials and colors that will blend into the natural setting and surrounding trees. Security fencing shall be six (6) feet tall, and dark green or black in color made of chain link.*
- c. If various antennas, cables and electronics are installed on a structure other than another WCF (i.e., water tower, light pole, rooftop, sign or silo), the antenna and supporting electrical and mechanical equipment must be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.*
- ~~*d. The monopole shall have the minimum diameter necessary to accommodate the proposed attachments. Attachments to the monopole shall be the same color as the monopole. Attachments to the monopole shall have the minimum dimensions and protrusion for the monopole based on the best available technology or shall be enclosed within the pole. A lightening rod may be mounted as an extension of a monopole and shall be included in determining the height of the monopole. The Board of Supervisors may require attachments to the monopole to be flush-mounted as a means of reducing visibility of the monopole from surrounding properties.*~~
- d. Stealth Technology. Stealth technology may be used on WCFs as set forth below. Because of the agrarian nature and beauty of the County, the silo structure will be the highest valued stealth technology. This technology of silo stealth structures should blend harmoniously with the existing farm structures.*
 - (1) The design standards for the “Silo” stealth structure shall be:*
 - (a) All equipment except for local commercial power service shall be placed inside of the silo. This provision shall not apply to the co-location of antennas on existing silos.*
 - (b) The silo shall not exceed eighty (80) feet at ground level (AGL).*
 - (c) The silo shall match any existing silo on the property in architectural design and colors.*
 - (d) Silo compounds must match existing fencing located on the agricultural property.*
 - (e) Renderings prepared by a licensed landscape architect shall be provided for all stealth silo applications.*
 - (f) The WCF shall be a Class 1 or Class 2.*



Examples of well-designed stealth silo WCFs



- (2) *The design standards for the bell tower stealth structure shall be:*
- (a) *All bell tower stealth WCFs shall match architecturally to the existing building's architecture.*
 - (b) *All bell tower stealth WCFs shall be no more than a 2:1 ratio from height of the bell tower to roof line of existing structure not to exceed fifty (50) feet AGL.*
 - (c) *All bell tower stealth WCFs shall be located within twenty (20) feet of the existing match structure.*
 - (d) *Renderings prepared by a licensed landscape architect shall be provided for all bell tower stealth structure applications.*
 - (e) *The WCF shall be a Class 1.*



Example of a well-designed bell tower WCF

- (3) *The design standards for a tree stealth structure shall be:*
- (a) *Must not be higher than twenty (20) feet above the existing tree line measured from trees within a 200 foot radius of the proposed site.*
 - (b) *The tree structure must be designed to resemble an evergreen species native to Clarke County.*
 - (c) *The tree structure must have textured bark, branches and foliage that encapsulate the cables, electronics and antennas.*
 - (d) *The colors of the tree structure must blend with existing trees of that species and variety.*
 - (e) *The structure must meet all design standards for stability and must be maintained for accuracy of the colors and foliage.*
 - (f) *Renderings prepared by a licensed landscape architect shall be provided for all tree stealth structure applications.*
 - (g) *The WCF shall be a Class 1 or 2. May be a Class 3 WCF depending upon topography of site and surrounding properties and the height of surrounding tree coverage.*



Example of a well-designed tree WCF

- (4) *The Design standards for the flag pole stealth structure shall be:***
- (a) *All antennas, cables, electronics and devices must fit within the designed enclosure of the flag pole.***
 - (b) *The flag pole shall be used as a flag pole and fly a flag accordingly. If the flag is flown at night adequate lighting shall be installed.***
 - (c) *The flag pole shall not have reflective paint.***
 - (d) *Renderings prepared by a licensed landscape architect shall be provided for all flag pole stealth structure applications.***
 - (e) *The WCF shall be a Class 1.***



Example of a well-designed flag pole WCF

5. ***Setbacks and Buffering***

- a. ***Setback requirements from property lines and structures.*** *Class 1, 2, 3, and 4 WCFs shall be set back from all property lines and structures a distance equivalent to the WCF's fall zone, or the WCF's fall zone and required perimeter buffer area, whichever distance is greater. The WCF's designed fall zone shall be described in the applicant's site development plan. For parcels located adjacent to the Appalachian National Scenic Trail Corridor, WCFs shall be set back a minimum of 400 feet from the footprint of the Appalachian Trail.*

~~A monopole shall be set back a distance equal to at least 100% of its height from any property line. A monopole shall be set back a distance equal to at least twice its height from any public right of way (except as noted below). A monopole shall not be located on and shall be set back a distance equal to at least four times its height from the following:~~

- ~~(1) — Parcels comprising the Appalachian National Scenic Trail corridor~~
- ~~(2) — Parcels under permanent open-space easement~~
- ~~(3) — The State Arboretum of Virginia portion of the University of Virginia's Blandy Farm~~
- ~~(4) — State designated Scenic Byways~~
- ~~(5) — The Shenandoah River (a state designated scenic river)~~
- ~~(6) — State Parks and Wildlife Management Areas.~~

- b. ***Setback requirements for buildings and support equipment.*** *For any building or structure associated with a WCF and inclusive of required perimeter buffer areas per subsection (d), the minimum setback from any property line abutting a public road or shared private access easement right of way shall be fifty (50) feet and in all other instances shall be no less than twenty-five (25) feet. No setback shall be required for private access easements or portions thereof designed exclusively to provide ingress and egress from the WCF compound to a public road.*

- c. ***Method for measuring setback distances.*** *Setbacks shall be measured from the closest structural member on the WCF. Guy lines shall be exempt from the minimum setback requirements in side and rear yards for the respective zoning district but shall comply with the front yard setback requirements.*

- d. ***Perimeter buffer.*** ~~The monopole~~ *Class 3 and 4 WCFs shall be located in a wooded area of dense tree cover referred to as the perimeter buffer. This dense tree cover* ~~The perimeter buffer shall have a minimum depth of 50 feet from the compound fencing as a radius around the perimeter of the area to be cleared for the monopole WCF. All trees within 120 feet of the perimeter of the area to be cleared~~ *the perimeter buffer for the monopole Class 3 or 4 WCF must be retained, unless specifically approved for removal on the site development plan. Within 25 feet of the compound fencing, the perimeter buffer shall be supplemented with evergreen trees planted in a double-staggered row and*

shrubs as necessary to effectively screen the compound and WCF structure base from view. The Planning Commission may request additional planting within the remaining 25 feet of the perimeter buffer on a case-by case basis to ensure effective and appropriate screening. All vegetation within the perimeter buffer shall be maintained throughout the lifespan of the WCF.

- e. Setbacks for co-location on other support structure. For co-location of antennas and equipment on a support structure other than a WCF (e.g., building, water tower, silo), the governing setbacks shall be the support structure's current setback requirements as enumerated in the Ordinance.*

6. Other Design Requirements

- a. Compound design requirements. The area to be cleared for the compound containing ~~a the-monopole~~ **Class 1, 2, 3 or 4 WCF** and support facilities shall be the minimum necessary to accommodate the facilities and shall not exceed 2,500 square feet. The driveways accessing the compound shall be gated.*
- b. Design requirements for buildings and support equipment.*
 - (1) Equipment cabinets shall not be more than twelve (12) feet in height. Structures designed to house equipment shall not exceed the maximum building height for the zoning district in which the subject property is located.*
 - (2) If the equipment cabinet or structure is located on the roof of a building, the area of the equipment structure and related equipment shall not occupy more than 25% of the roof area. The equipment cabinet or structure and related equipment shall also be completely screened from view on all sides of the building.*
 - (3) Equipment cabinets or structures shall comply with all applicable building codes.*
- c. Advertisement signs are prohibited. Signs compliant to FCC requirements containing ownership, operational, and name plate data shall be allowed.*
- d. All WCFs shall have appropriate FCC signage and contact information for emergency communications.*

6-H-12-b. Application Requirements

- 1. Requirements for Class 1 and Class 2 WCF applications. Applicants requesting approval of a **Class 1 or Class 2 WCFs** shall submit the following information to the Zoning Administrator for review:*
 - a. A site development plan consisting of a scaled plan and a scaled elevation view and other supporting drawings, calculations, and other documentation, signed*

and sealed by a licensed Professional Engineer, Surveyor, Landscape Architect or Architect, showing the following information:

- (1) Legal description of subject property and proposed lease area (if applicable)*
 - (2) Design and height of the proposed WCF;*
 - (3) Proposed means of access from the public road to the WCF site*
 - (4) Setbacks from the property lines, existing structures on the subject property, and existing private access easements*
 - (5) Distances to uses and structures on adjacent properties*
 - (6) Elevation of the proposed WCF site and surrounding topography*
 - (7) Location of all improvements including but not limited to compound location, equipment cabinets, structures, fencing, and signage*
 - (8) Existing tree coverage and vegetation*
 - (9) Zoning of subject property and adjacent properties*
 - (10) General location of all residences and structures within two-thousand (2,000) feet of the proposed WCF*
 - (11) Any other information deemed by the Zoning Administrator to be necessary to assess compliance with this ordinance*
- b. A cover letter that outlines what the applicant is proposing to do on-site.*
- c. Any fees associated with the review of the application by the County and/or its consultant shall be paid by the applicant at submittal.*
- d. Structural engineering documentation shall be provided demonstrating compliance with all applicable building codes and regulations. A diagram and statement certified and sealed by a licensed structural engineer shall also be provided that describes the fall zone for the proposed WCF.*
- e. The Zoning Administrator may request additional information if needed while reviewing an application for administrative approval. Failure to provide the requested information shall result in the denial of the application.*
- f. A Karst plan per §6-H-15 shall be provided.*
- g. A statement justifying the need for the project by a licensed telecommunications provider. In the event that none of the applicants are a telecommunications provider, a letter of intent from a licensed telecommunications provider to operate on the proposed WCF upon its completion shall be provided. This statement shall include the following:*
- (1) A description of how the location of the proposed WCF is consistent with the guidance provided in the County's Telecommunications Engineering Study.*
 - (2) The unsuitability of the use of existing WCFs, other structures or alternative technology not requiring the use of WCFs or structures to provide the services under consideration.*
 - (3) A map depicting all co-location candidates in the search area, along with the RF analysis documentation as to their suitability. These include propagation modeling for the network before the applicant's request and after if approved.*

- h. *A description of compliance with all applicable Federal, State, or local laws including the following actual documents addressing the historic site impact review Section 106 Historical Review portion of the approved National Environmental Policy Act (NEPA) statement, and the TOWAIR determination results for FAA registration.*
 - i. *A landscape plan showing specific landscape materials including proposed plantings to comply with perimeter buffer requirements.*
 - j. *If required, a method of security fencing (no less than six (6) feet in height) with anti-climbing device and finished color and, if applicable, the method of camouflage and illumination.*
 - k. *At least 2 (two) actual photographs of the site that include simulated photographic images of the proposed WCF at the proposed construction height and at a height 10% greater than the proposed construction height to simulate future co-location.* The photographs with the simulated image shall illustrate how the facility will look from adjacent roadways, nearby residential areas, or public buildings such as a school, church, etc. The Zoning Administrator reserves the right to select the location for the photographic images and require additional images. The applicant at the Zoning Administrator's request shall conduct a balloon test to demonstrate the height of a proposed ~~monopole~~ **WCF with a potential 10% height increase to simulate future co-location** and provide adjoining property owners with a 48-hour notice of the test.
 - l. *The applicant shall identify the type of construction of the existing WCF(s) and the owner/operator of the existing WCF(s), if known.*
 - m. *A statement by the applicant as to whether construction of the WCF will accommodate co-location of antennas including the number and dimensions of available co-location positions.*
 - n. *Identification of the entities providing the backhaul network for the WCF(s) described in the application and other cellular sites owned or operated by the applicant in the County.*
 - o. *A description, including mapping at an appropriate scale, of the search area and coverage objective.* A figure depicting the radio frequency coverage (or propagation map) of the proposed facility and all nearby facilities *shall also be provided.* Propagation maps shall show a minimum of three (3) signal intensities in milliwatts.
 - p. *A cost estimate for removal of the WCF and facilities from the site.*
 - q. *An application for a site development plan review shall be signed by the owner(s) of the property on which the WCF is to be sited and by the telecommunications provider or developer of the WCF site.*
2. **Requirements for Class 3 and 4 WCF applications.** *In addition to the application requirements for Class 1 and Class 2 WCF applications, applicants requesting a Special Use Permit to construct a new ~~monopole~~ Class 3 or 4 WCF shall submit the following information to the Zoning Administrator for review and action by the Planning Commission and Board of Supervisors:*
- a. *Applications for new proposed Class 3 WCFs shall depict a location that is consistent with the guidance regarding the Permitted Commercial Tower*

Development Areas (PCTDA) depicted in the County's Telecommunications Infrastructure and Broadband Study.

- b. Applications for new proposed Class 4 WCFs shall demonstrate the following:*
- (1) A location that is consistent with the guidance regarding the Permitted Commercial Tower Development Areas (PCTDA) depicted in the County's Telecommunications Infrastructure and Broadband Study.*
 - (2) In order to justify a maximum height in excess of 120 feet, the applicant shall demonstrate one or more of the following conditions:*
 - (a) The proposed site would provide a demonstrable coverage improvement over a Class 3 tower height and would be consistent with the guidance regarding the County's coverage goals in the Telecommunications Infrastructure and Broadband Study.*
 - (b) Need to ensure proper connectivity for microwave "point to point" systems. A Path Study and evidence of rejection from fiber optic providers shall be submitted with the application.*
 - (c) Proposed WCF is required by the property owner to be located in an area with a lower elevation in relation to the overall elevation of the subject property. Setback calculations with ground elevation profile diagrams and property owner requirements shall be submitted with the application.*
- cf. An application for a ~~monopole~~ Special Use Permit and site **development** plan **review application** shall be signed by the owner(s) of the property on which the ~~monopole~~ WCF is to be sited and by the telecommunications provider or developer of the ~~monopole~~ WCF site.*
- dg. At time of submission of a ~~monopole~~ special use permit and site **development** plan application, the applicant shall document that ~~it considered at least two alternative sites~~ **a new WCF is required because there is no existing structure of sufficient height within the Applicant's search ring available for possible co-location**, and set forth its reasons for selecting the site proposed. After a public hearing on an application, an applicant may be requested to consider alternate sites that in the opinion of the reviewing body will better comply with the **objectives and** regulations for ~~monopole siting of new WCFs~~.*
- eh. Verifiable evidence shall be provided in writing showing the lack of antenna space on existing towers, buildings, or other structures suitable for antenna location, or evidence of the unsuitability of existing tower locations for co-location.*
- ~~e. A Site development Plan consisting of a scaled plan and a scaled elevation view and other supporting drawings, calculations, and other documentation showing the location and dimensions of all improvements, including topography; existing zoning; existing tree coverage and vegetation; height requirements; setbacks from property line; access drives; fencing; distances to adjacent uses and adjacent~~*

~~buildings, and the general location of all residences and structures within two thousand (2,000) feet of the proposed monopole.~~

- ~~e. A figure depicting the radio frequency coverage (or propagation map) of the proposed facility and all nearby facilities. Propagation maps shall show a minimum of three (3) signal intensities in milliwatts.~~
- ~~d. At least 2 (two) actual photographs of the site that include simulated photographic images of the proposed monopole. The photographs with the simulated image shall illustrate how the facility will look from adjacent roadways, nearby residential areas, or public buildings such as a school, church, etc. The zoning administrator reserves the right to select the location for the photographic images and require additional images. The applicant at the zoning administrator's request shall conduct a balloon test to demonstrate the height of a proposed monopole and provide adjoining property owners with a 48-hour notice of the test.~~
- ~~e. The zoning administrator may require other information deemed necessary to assess compliance with this ordinance.~~
- ~~i. To ensure the structural integrity and wind load capacity of monopole, the monopole owner shall ensure that it is designed and maintained in compliance with standards contained in applicable building codes and regulations.~~

3. Requirements for amateur radio antennas (Class 5 WCFs).

- a. A site development plan to be reviewed and acted upon administratively by the Zoning Administrator shall be provided for all Class 5 WCFs. The site development plan shall depict the antenna design, height, and setbacks from property lines, public rights of way, private access easements, and existing structures on the subject property.*
- b. Maximum height. The maximum height of a Class 5 WCF shall be the lowest height limitation permitted by Code of Virginia §15.2-2293.1.*
- c. Setback requirements. Class 5 WCFs shall be set back a minimum distance of 100% of the antenna's height from all property lines and private access easements.*

4. Requirements for co-location applications.

- a. This section shall apply to all applications to co-locate new antennas and required support equipment on existing WCFs and structures, including the installation of distributed antenna systems (DAS).*
- b. A site development plan consisting of a scaled plan and a scaled elevation view and other supporting drawings, calculations, and other documentation, signed and sealed by a licensed Professional Engineer, Surveyor, Landscape Architect or Architect, shall be provided by the Applicant showing the following information:*

- (1) *Legal description of subject property and proposed lease area (if applicable)*
 - (2) *Sketch showing the existing WCF or structure, the dimensions and location of the antenna and equipment to be co-located, and the proposed change in the height of the structure as a result of the co-location if applicable*
 - (3) *Sketch showing dimensions and location of all proposed equipment, cabinets, and structures to be added to the WCF compound. For co-location on structures other than a WCF, setback distances from property lines and adjacent structures shall be shown.*
 - (4) *All proposed changes to existing landscaping, buffering, fencing, signage, and other material site features.*
 - (5) *Any other information deemed by the Zoning Administrator to be necessary to assess compliance with this ordinance*
- c. *Co-location applications shall be signed by the property owner or by the owner or lessee of the WCF or structure.*
- d. *Applications to co-locate a new antenna and equipment on an existing WCF shall be considered an amendment of the existing site development plan for the WCF and shall be acted upon administratively by the Zoning Administrator. For co-location on Class 3 or Class 4 WCFs, such applications shall demonstrate compliance with any special conditions imposed in conjunction with the special use permit.*
5. **Requirements for applications to upgrade/maintain existing equipment.**
- a. *This section shall apply to all applications to upgrade, change, modify, or maintain existing equipment on a WCF or a structure containing antennas for telecommunications. This section shall also apply to applications to upgrade, change, modify, or maintain structural elements of existing WCFs or structures containing antennas for telecommunications.*
- b. *A site development plan consisting of a scaled plan and a scaled elevation view and other supporting drawings, calculations, and other documentation, signed and sealed by a licensed Professional Engineer, Surveyor, Landscape Architect or Architect, shall be provided by the Applicant showing the following information:*
- (1) *Legal description of subject property and proposed lease area (if applicable)*
 - (2) *Sketch showing dimensions and location of all proposed equipment, cabinets, and structures to be added, changed, or otherwise altered and their position on the WCF compound. For changes to existing equipment on structures other than a WCF, changes to setback distances from property lines and adjacent structures shall be shown.*
 - (3) *All proposed changes to existing landscaping, buffering, fencing, signage, and other material site features.*

(4) *Any other information deemed by the Zoning Administrator to be necessary to assess compliance with this ordinance*

- c. *Applications to upgrade/maintain existing equipment shall be signed by the property owner or by the owner or lessee of the WCF or structure.*
- d. *Applications to replace equipment on an existing WCF shall be considered an amendment of the existing site plan for the WCF and shall be acted upon administratively by the Zoning Administrator. For co-location on Class 3 or Class 4 WCFs, such applications shall demonstrate compliance with any special conditions imposed in conjunction with the special use permit.*

6-H-12-c. *Inactive WCFs; Removal Bond Required*

1. *Inactive WCFs. The owner of the ~~monopole~~ an inactive WCF shall dismantle the ~~monopole support structure, antennas,~~ and all associated structures if no functioning privately owned telecommunication antenna is attached to the monopole for 12 consecutive months *WCF is operated for a continuous period of six (6) months*, and restore the site as nearly as possible to preexisting site conditions. *The owner of the WCF shall remove the same within ninety (90) days of receipt of notice from the County notifying the owner of the inactive WCF. If there are two or more users of a single WCF, then this provision shall not become effective until all users cease using the WCF.**
2. *Annual user reports. The owner of a Class 1, 2, 3 or Class 4 WCF shall provide, by July 1 annually to the Zoning Administrator, an inventory of all active and inactive users on the WCF.*
3. *A bond ~~or letter of credit must~~ shall be posted at the time of ~~monopole~~ WCF approval, in the event the County must remove the ~~monopole~~ WCF upon abandonment. This bond ~~or letter of credit~~ shall be equal to the cost to remove the ~~monopole~~ WCF, all ~~monopole~~ WCF and fence footers, underground cables, and support buildings, plus 25%. The bond ~~or letter of credit~~ shall be renewed every five years *remain in effect* for the life of the ~~monopole~~ WCF.*

6-H-12-d. *Third-Party Engineering Review*

The County reserves the right to employ the services of a third-party wireless telecommunications engineer or consultant to review all WCF applications. All applicable costs for the third-party review shall be the responsibility of the applicant.

6-H-12-e. *Engineering Information Provided by Applicant*

Any information of an engineering nature that the applicant submits, whether civil, mechanical, or electrical, shall be certified by a licensed professional engineer.

~~6-H-12-f Monopoles, antennas, and equipment mounted to or located at the base of the monopole shall either maintain a flat, non-glossy, non-reflective galvanized steel finish or be painted a neutral color so as to reduce visual obtrusiveness.~~

REVIEW PROCEDURES BY CLASS

Class	Approval Authority	Review Process
Co-location*	Zoning Administrator/ By-right	<ol style="list-style-type: none"> 1. Pre-application meeting held with Zoning Administrator, who determines whether engineering review will be required as well as whether any Article 6 requirements may be waived. 2. Site Development Plan application filed with Zoning Administrator. 3. Zoning Administrator acts on application within 60 days.
1 (50' max)	Zoning Administrator/ By-right	<ol style="list-style-type: none"> 1. Pre-application meeting held with Zoning Administrator, who determines whether engineering review will be required as well as whether any Article 6 requirements may be waived. 2. Site Development Plan application filed with Zoning Administrator. 3. Zoning Administrator acts on application within 60 days.
2 (80' max)	Planning Commission/ By-right	<ol style="list-style-type: none"> 1. Site Development Plan application filed with Zoning Administrator following required pre-application meeting. 2. Application is routed to Planning Commission's Plans Review Committee, engineering consultant, Karst engineer, and other applicable agencies for review. 3. Application forwarded to Planning Commission to schedule/hold public hearing once all reviewers have commented. 4. Planning Commission acts on application within 60 days.
3 (120' max)	Board of Supervisors with Planning Commission review/ Special Use	<ol style="list-style-type: none"> 1. Special use permit and site development plan applications filed with Zoning Administrator following required pre-application meeting. 2. Application is routed to the engineering consultant, to the Planning Commission's Plans Review Committee, Karst engineer, and other applicable agencies for review. 3. Application forwarded to Planning Commission to schedule/hold public hearing once all reviewers have commented. 4. Planning Commission makes formal recommendation on application. 5. Application forwarded to Board of Supervisors to schedule/hold public hearing. 6. Board of Supervisors takes formal action on special use permit/site plan application.
4 (199' max)	Board of Supervisors with Planning Commission review/ Special Use	<ol style="list-style-type: none"> 1. Special use permit and site development plan applications filed with Zoning Administrator following required pre-application meeting. 2. Application is routed to the engineering consultant, to the Planning Commission's Plans Review Committee, Karst engineer, and other applicable agencies for review. 3. Application forwarded to Planning Commission to schedule/hold

		public hearing once all reviewers have commented. 4. Planning Commission makes formal recommendation on application. 5. Application forwarded to Board of Supervisors to schedule/hold public hearing. 6. Board of Supervisors takes formal action on special use permit/site plan application.
5 (amateur radio)	Zoning Administrator/ By-right	1. Pre-application meeting held with Zoning Administrator, who determines whether engineering review will be required as well as whether any Article 6 requirements may be waived. 2. Site Development Plan application filed with Zoning Administrator. 3. Zoning Administrator acts on application within 60 days.

* Review procedure is the same for new distributed antenna systems (DAS) and upgrades/equipment maintenance on an existing WCF.

PROPOSED NEW DEFINITIONS (ARTICLE 9)

Compound area – *The area located at the base of the WCF, defined by a fenced boundary, that contains support structures, generators, equipment cabinets or shelters, and other accessory items necessary to the function of the WCF and the antennas located on it.*

Co-location -- *The shared use of an antenna support structure by two or more wireless service providers or other entities that operate antennas. Co-location may occur on structures other than wireless communication facilities (WCFs) including but not limited to water tanks, lattice towers, rooftops, utility poles, silos, and similar structures. The use of a non-WCF structure by one wireless service provider or other entity that operates antennas shall also be considered co-location.*

Distributed Antenna System (DAS) – *A network of spatially separated antenna nodes connected to a common source via a transport medium that provides wireless service within a geographic area or structure.*

Fall zone – *The maximum distance from the structure base of a wireless communications facility (WCF) that the WCF is designed to fall in the event of a structural failure and collapse.*

Monopole -- *A hollow or solid, cylindrical self-supporting structure which is made of steel, wood or concrete.*

Permitted Commercial Tower Development Area (PCTDA) – *Pre-planned location areas where it is recommended that WCFs be constructed to provide for commercial wireless carriers. PCTDAs are designated in the County's Telecommunications Infrastructure and Broadband Study and are plotted at road intersections with a ½ mile radius for proposed WCF locations.*

Stealth technology -- *A design method to conceal or disguise antenna structures and antennas associated with wireless communication facilities including, but not limited to, tree poles, flag poles, bell towers, silos, and lookout towers.*

Wireless Communication Facility (WCF) – *All infrastructures and equipment including, but not limited to, antenna support structures, antennas, transmission cables, equipment shelters, equipment cabinets, utility pedestals, ground equipment, fencing, signage, and other ancillary equipment associated with the transmission or reception of wireless communications.*

PROPOSED ZONING DISTRICT USE ASSIGNMENTS (ARTICLE 3)

Agricultural-Open Space-Conservation (AOC) District

Permitted Uses

3-A-1-a-1-i *Wireless Communication Facilities – Class 1, 2, and 5*

Accessory Uses

3-A-1-a-2-f *Co-location of antennas on existing approved antenna support structure*

Special Uses

3-A-1-a-3-m ~~Monopoles greater than 50 feet in height for commercial telecommunications-
antennae~~

3-A-1-a-3-w *Wireless Communication Facilities – Class 3 and 4*

Forestal-Open Space-Conservation (FOC) District

Permitted Uses

3-A-2-a-1-i *Wireless Communication Facilities – Class 1, 2, and 5*

Accessory Uses

3-A-2-a-2-f *Co-location of antennas on existing approved antenna support structure*

Special Uses

3-A-2-a-3-j ~~Monopoles greater than 50 feet in height for commercial telecommunications-
antennae~~

3-A-2-a-3-s *Wireless Communication Facilities – Class 3 and 4*

Rural Residential (RR) District

Permitted Uses

3-A-3-a-1-e *Wireless Communication Facilities – Class 1, 2, and 5*

Accessory Uses

3-A-3-a-2-d *Co-location of antennas on existing approved antenna support structure*

Neighborhood Commercial (CN) District

Permitted Uses

3-A-12-a-1-p *Wireless Communication Facilities – Class 1, 2, and 5*

Accessory Uses

3-A-12-a-2-f *Co-location of antennas on existing approved antenna support structure*

Highway Commercial (CH) District

Permitted Uses

3-A-13-a-1-w *Wireless Communication Facilities – Class 1, 2, and 5*

Accessory Uses

3-A-13-a-2-c *Co-location of antennas on existing approved antenna support structure*

Special Uses

3-A-13-a-3-h ~~Monopoles greater than 50 feet in height for commercial telecommunications antennae~~

3-A-13-a-3-s *Wireless Communication Facilities – Class 3 and 4*

Historic (H) District

3-E-3-h *Class 5 wireless communication facilities (WCFs) and co-location on existing structures may be permitted subject to compliance with the requirements of this section 3-E-3. Class 1, 2, 3 and 4 WCFs shall be prohibited.*

Historic Access Overlay District

3-E-4-f *Wireless communication facilities (WCFs) may be permitted as allowed by the regulations of the underlying zoning district and subject to compliance with the requirements of this section 3-E-4.*

ZONING ORDINANCE TEXT AMENDMENT (TA-17-03)
Off-Street Parking Exemption for Certain Properties in Millwood
(Adopted by the Board of Supervisors on October 17, 2017)

Ordinance Amendment Text (changes shown in bold italics with strikethroughs where necessary):

3-A-12 Neighborhood Commercial District (CN)

3-A-12-e *Off-Street Parking Exemption for Certain Properties in Millwood*

- 1. *Purpose. The following provisions are established to preserve the historic character of certain properties in the village of Millwood that lack available lot area to provide conforming off-street parking in accordance with Section 4-J (Off-Street Parking).***
- 2. *Exemption to Off-Street Parking Requirements; applicable properties.***
 - a. *Permitted uses on the properties listed in subsection (b) shall be exempt from the off-street parking requirements of Section 4-J (Off-Street Parking). Special uses on these properties shall comply with Section 4-J.***
 - b. *This exemption shall apply exclusively to permitted uses located on the following Neighborhood Commercial (CN) and Historic (H) District-zoned properties:***
 - (1) *2009 Millwood Road, Tax Map Parcel #30A-A-60***
 - (2) *2037 Millwood Road, Tax Map Parcel #30A-A-59***
 - (3) *2038 Millwood Road, Tax Map Parcel #30A-A-28***
 - (4) *2045 Millwood Road, Tax Map Parcel #30A-A-58***
 - (5) *2049 Millwood Road, Tax Map Parcel #30A-A-57***
 - (6) *2053 Millwood Road, Tax Map Parcel #30A-A-56***
 - (7) *Tax Map Parcel #30A-A-29***
 - (8) *15 Tannery Lane, Tax Map Parcel #30A-A-30***